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Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba

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Report of the Secretary-General

Summary

In its resolution 60/12, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba", the General Assembly requested the Secretary-General, in consultation with the appropriate organs and agencies of the United Nations system, to prepare a report on the implementation of the resolution in the light of the purposes and principles of the Charter of the United Nations and international law and to submit it to the Assembly at its sixty-first session.

The present report reproduces the replies of Governments and the United Nations system to the request of the Secretary-General for information on the matter.

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I. Introduction

In its resolution 60/12, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba", the General Assembly requested the Secretary-General, in consultation with the appropriate organs and agencies of the United Nations system, to prepare a report on the implementation of the resolution in the light of the purposes and principles of the Charter of the United Nations and international law and to submit it to the Assembly at its sixty-first session.

Pursuant to that request, in a note verbale dated 5 May 2006, the Secretary-General invited Governments and organs and agencies of the United Nations system to provide him with any information they might wish to contribute to the preparation of his report.

The present report reproduces the replies from Governments and organs and agencies of the United Nations that had been received as of 21 July 2006. Replies received after that date will be reproduced as addenda to the present report.

II. Replies received from Governments

Algeria

[Original: French]
[18 June 2006]

1. Algeria, like the majority of States Members of the United Nations, voted in favour of resolution 60/12 adopted by the United Nations General Assembly on 8 November 2005.

2. The international community has been condemning the economic embargo against Cuba for 47 years as is clearly reflected in the resolution calling for the ending of the economic, commercial and financial embargo, which has been adopted every year for the last 14 years by the overwhelming majority of Member States of the United Nations General Assembly.

3. Algeria believes that this persistent economic, commercial and financial embargo against Cuba violates the principles of sovereign equality of States and non-interference in the internal affairs of other States. Algeria cannot but express concern about the adverse impact of the economic embargo on the Cuban people and demand that the relevant resolutions of the United Nations General Assembly calling for the lifting of this embargo be complied with and implemented.

4. In addition to being inconsistent with international law and the principles of the Charter of the United Nations, such unilateral measures also constitute a serious impediment to the economic development and well-being of Cuba and its people and adversely affect the free trade so strongly advocated, including by the World Trade Organization.

5. Algeria reaffirms its full support for the positions taken by the Thirteenth Summit of the Non-Aligned Countries held in Kuala Lumpur in 2003 and by the Second South Summit of the Group of 77 and China held in Doha in June 2005, which rejected coercive economic measures and laws and regulations with extraterritorial effect imposed on developing countries and called upon the United

States of America to promptly lift the unjust and illegal embargo imposed against Cuba.

Angola

[Original: Portuguese]
[7 July 2006]

1. The Government of Angola reiterates its unconditional support to the end of the embargo.

2. The Republic of Angola expresses its recognition of the importance attached by the Secretary-General to this issue and appeals to the international community to continue its efforts towards the engagement of the two countries on a constructive dialogue aimed at establishing normal relations between the two States.

Antigua and Barbuda

[Original: English]
[19 July 2006]

1. The Government of Antigua and Barbuda adheres to and complies fully with the purposes and principles enshrined in the Charter of the United Nations, in particular the principles of the sovereign equality of States, non-intervention and non-interference in their internal affairs and freedom of international trade and navigation.

2. The Government of Antigua and Barbuda, in keeping with paragraph 2 of resolution 60/12, refrains from promulgating and applying laws and measures of the kind referred to in the preamble of the aforementioned resolution, in conformity with its obligations under the Charter of the United Nations and international law, which, inter alia, reaffirm the freedom of trade and navigation.

Argentina

[Original: Spanish]
[12 June 2006]

1. The Government of the Argentine Republic has fully implemented the provisions of resolution 60/12 and of previous General Assembly resolutions concerning the economic, commercial and financial embargo imposed against Cuba.

2. On 5 September 1997, the Argentine Government promulgated Act No. 24,871, which establishes the legislative framework governing the scope of application of foreign legislation within the national territory. Under the Act, foreign legislation which is aimed, directly or indirectly, at restricting or impeding the free flow of trade and the movement of capital, goods or persons to the detriment of a given country or group of countries shall neither be applicable nor have legal effects of any kind within the national territory.

3. Article 1 of that Act provides that foreign legislation which seeks to have extraterritorial legal effects, through the imposition of an economic embargo or limits on investment in a given country, in order to bring about a change of government in a country or to affect its right to self-determination shall also be wholly inapplicable and devoid of legal effect.

4. Argentina's vote in favour of the adoption of General Assembly resolution 60/12 was an immediate and independent reflection of its traditional position in favour of eliminating this kind of unilateral measure, and its commitment to the Charter of the United Nations, international law and multilateralism.

5. Similarly, Argentina would like to refer to the explanation of vote given by the States members (Argentina, Brazil, Paraguay and Uruguay) and associate members (Bolivia, Chile and Peru) of the South American Common Market (MERCOSUR) when the relevant resolution was adopted, in which, aligning themselves with the nearly unanimous rejection by the international community of those unilateral measures, they stated that their application did not contribute to the promotion of a democratic system; on the contrary, they are detrimental to human rights, in particular the rights of developing nations.

6. That is why, on more than one occasion and in various international forums such as the Organization of American States (OAS), the Latin American Economic System, the Ibero-American and Rio Group summits, MERCOSUR and its associate members have spoken out in favour of effective multilateralism and of the elimination of unilateral coercive measures, which only exacerbate tensions and undermine the international cooperation that is required to achieve development, security and human rights for all.

7. Argentina would also like to note that the Declaration adopted at the Fourth European Union-Latin America and the Caribbean Summit of Heads of State and Government held in Vienna on 12 May 2006 firmly rejected all coercive measures of unilateral character with extraterritorial effect that are contrary to international law and the commonly accepted rules of free trade. The Heads of State and Government also agreed that this type of practice posed a serious threat to multilateralism.

Armenia

[Original: English]
[16 June 2006]

The Armenian legal regime does not contain any laws or measures of the kind referred to in General Assembly resolution 60/12.

Barbados

[Original: English]
[29 June 2006]

1. The Government of Barbados has no laws that in any way restrict freedom of trade and navigation with Cuba.

2. Barbados has consistently voted in favour of the General Assembly resolution on the necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba since it was first introduced in 1991 at the forty-sixth session of the General Assembly.

Belarus

[Original: English]
[5 July 2006]

1. In its foreign policy Belarus is committed to the principles of international law and supports the right of nations to freely choose their own ways of development. Belarusian laws neither impact national sovereignty or the legal interests of other countries and their people, nor do they infringe upon free international trade.

2. Belarus and Cuba have active and long-term cooperation based on 18 bilateral agreements. Annually both countries hold joint commissions on trade and economic cooperation to encourage closer ties between Belarusian and Cuban enterprises and to conclude commercial contracts. Belarus and Cuba jointly discuss international agenda issues, mainly during the annual consultations between the foreign ministries.

3. A major step to further expand mutual cooperation over the past few months was an official visit of the Belarusian Prime Minister, along with major business directors, to Cuba in April 2006. Several agreements and commercial contracts were signed.

4. Belarus strongly demands an end to the economic, commercial and financial embargo imposed by the United States of America against Cuba and opposes any act of pressure on the Cuban Government under any pretext. Belarus has repeatedly stated its position on the United States embargo against Cuba both within international organizations and bilateral relations.

5. The Belarusian Government will continue to develop friendly relations and foster greater economic cooperation with Cuba.

Belize

[Original: English]
[9 June 2006]

1. The Permanent Mission of Belize is pleased to report that, in accordance with resolution 60/12, and all previous General Assembly resolutions on the embargo against Cuba, Belize has not promulgated or applied any laws, regulations or measures whose extraterritorial application would affect the sovereignty of other States, the legitimate interests of entities or persons under their jurisdiction and the freedom of trade and navigation.

2. Belize reaffirms its commitments to the purposes and principles enshrined in the Charter of the United Nations, particularly the sovereign equality of States, non-intervention and non-interference in their internal affairs and freedom of international trade and navigation, which also form fundamental principles of international law.

3. Belize has consistently supported General Assembly resolution 60/12. The ongoing attempt to isolate Cuba, in disregard of this resolution adopted annually is a cause of concern. Belize continues to engage Cuba in a constructive and mutually beneficial partnership that has yielded concrete benefits for all our peoples.

Benin

[Original: French]
[12 July 2006]

In accordance with United Nations General Assembly resolution 60/12 of 8 November 2005, the Republic of Benin, which has excellent relations of friendship and cooperation with Cuba, is of the view that the trade, financial and even scientific embargo against Cuba severely hampers the development of this friendly country. Benin therefore wishes to see the embargo lifted in order to enable the people and Government of Cuba to enjoy their sovereignty in accordance with the original principles and values enshrined in the Charter of the United Nations.

Bolivia

[Original: Spanish]
[27 June 2006]

The Government of Bolivia has neither enacted nor implemented any measures or laws such as those referred to in the preamble of the resolution in question and fully complies with the provisions of the Charter of the United Nations and of international law which, inter alia, reaffirm freedom of trade and navigation.

Botswana

[Original: English]
[15 June 2006]

The Republic of Botswana has never promulgated, applied or enforced any laws or measures of the kind referred to in General Assembly resolution 60/12, nor does it intend to. As reflected by its vote on the above-mentioned resolution, Botswana is opposed to the continued adoption and application of such extraterritorial measures, and, in this regard, supports the immediate lifting of the economic, commercial and financial blockade against Cuba, which has negative consequences for the Cuban people.

Brazil

[Original: English]
[13 June 2006]

1. Brazil reiterates its position that the discriminatory trade practices and extraterritorial application of domestic laws run counter to the need for promoting dialogue and ensuring the prevalence of the principles and purposes of the Charter of the United Nations.

2. In accordance with General Assembly resolutions 47/19, 48/16, 49/9, 50/10, 51/17, 52/10, 53/4, 54/21, 55/20, 56/9, 57/11, 58/7, 59/11 and 60/12, Brazil has not promulgated or applied any laws, regulations or measures with extraterritorial effects that could affect the sovereignty of other States and the legitimate interests of entities or persons under their jurisdiction, as well as the freedom of trade and navigation. Brazil's legal system does not recognize the validity of the application of measures with extraterritorial effects.

7. Companies located in Brazil are subject exclusively to Brazilian legislation. Measures by any country that violate the provisions of resolution 60/12, and that attempt to compel the citizens of a third country to obey foreign legislation, affect the interests of the international community as a whole and violate generally accepted principles of international law. They should be reviewed and changed, where appropriate, in order to bring them into conformity with international law.

8. Governments not complying with resolution 60/12 should urgently take further steps to eliminate discriminatory trade practices and bring to an end unilaterally declared economic, commercial and financial embargoes.

Bulgaria

[Original: English]
[19 June 2006]

1. Bulgaria subscribes to the position of the European Union referring to the regulation of the Council of Ministers of the European Union adopted in 1996 and joint action to oppose the extraterritorial extension of the United States embargo, such as that contained in the Helms-Burton Act of 1996.

2. The Republic of Bulgaria does not apply and has never applied or supported the application of unilateral coercive economic measures against any country and thus has complied fully with 14 successive General Assembly resolutions requesting the end of the economic, commercial and financial embargo imposed unilaterally against Cuba.

3. The Republic of Bulgaria does not approve of the use of unilateral coercive economic measures against Cuba that are inconsistent with the principles of international law and impede the free flow and transparency of international trade.

Burkina Faso

[Original: French]
[14 June 2006]

1. Burkina Faso, a peace- and justice-loving country, complies fully with the principles and Charter of the United Nations and therefore rejects any form of unilateralism that violates the freedom and sovereignty of States.

2. In addition to the dialogue that it has always advocated as a means of resolving disagreements between States, Burkina Faso is also convinced of the usefulness of interactions among States, which strengthen their economic and cultural ties. That is why it makes every possible effort, on a daily basis, to strengthen and enhance its very close ties of cooperation with other peoples of the world, especially the fraternal people of Cuba.

3. However, Burkina Faso remains concerned over the maintenance by the United States of America of its unjust economic, commercial and financial embargo against Cuba and reiterates its call on the need for it to be lifted.

4. In accordance with its obligations under the Charter and international law, Burkina Faso has neither enacted nor applied laws or measures of the kind referred to in the preamble of resolution 60/12 of 8 November 2005.

Burundi

[Original: French]
[13 June 2006]

1. As indicated in its earlier reports, the Government of Burundi and the Government of Cuba maintain excellent relations of friendship and cooperation. Cuba has provided unflagging support to Burundi, even in the most difficult times.

2. Moreover, Burundi, which is fully aware of the harmful effects of economic embargoes on populations, cannot advocate such actions as a means of promoting international relations. The Constitution of Burundi affirms the importance in international relations of the right of peoples to self-determination.

3. For all these reasons, the Government of Burundi has not enacted any laws against Cuba.

Cambodia

[Original: English]
[20 June 2006]

1. The Royal Government of Cambodia feels that it is now time to remove such merciless sanctions imposed against Cuba, which have brought too much suffering to its innocent people and gravely affected its entire socio-economic structure. The prolonged embargo clearly demonstrates an act of violation of human rights and of the rights of the Cuban people's self-determination. In addition, this embargo is an unjustified and unjust act against the people of Cuba.

2. In this regard, the Royal Government of Cambodia wishes to appeal to all Members of the United Nations and to the Secretary-General to take the necessary measures to implement General Assembly resolution 60/12.

Cape Verde

[Original: English]
[2 June 2006]

The Republic of Cape Verde has never promulgated or applied any laws or measures of the kind referred to in the preamble to General Assembly resolution 60/12.

Central African Republic

[Original: French]
[20 July 2006]

The restoration by the Central African Republic of its diplomatic relations with Cuba, which had been severed 25 years earlier, is in line with General Assembly resolution 60/12 of 8 November 2005 and reflects its compliance with and support for the resolution.

Chile

[Original: Spanish]
[20 July 2006]

1. Chile has consistently held the view that international relations should be based, inter alia, on the principles of legal equality of States, non-interference and freedom of trade and navigation. Accordingly, Chile has not applied or promoted the enactment of laws and regulations which are contrary to those principles.

2. Furthermore, at the Organization of American States, Chile co-sponsored the resolution relating to the Helms-Burton Act on "Free trade and investment in the Hemisphere" and has taken similar positions in other forums.

3. In the economic and trade spheres, Chile and Cuba signed under the Montevideo Treaty of 1980 (ALADI) Economic Complementarity Agreement No. 42 in 1998.

4. At the end of 2005, the volume of trade (exports of $42.5 million and imports of $1.7 million) between Chile and Cuba stood at $44.2 million. Chile's main exports to Cuba were beef, pork, mutton and chicken; packaging and labels; paper products and notebooks and sweets and preserves. Its principal imports from that country were alcoholic beverages (rum), medicines, tropical timber and pharmaceutical and chemical products in general.

5. Chile and Cuba are currently negotiating an agreement for the avoidance of double taxation.

China

[Original: English]
[19 May 2006]

1. Sovereign equality, non-interference in other countries' internal affairs and other relevant norms governing international relations should be duly respected. Every country has the right to choose, according to its national circumstances, its own social system and mode of development, which brooks no interference by any other country.

2. The differences and problems existing among countries should be resolved through peaceful dialogue and negotiation on the basis of equality and mutual respect for sovereignty. The economic, commercial and financial embargo imposed by the United States on Cuba, which has lasted for too long, serves no other purpose than to keep tensions high between two neighbouring countries and inflict tremendous hardship and suffering on the people of Cuba, especially women and children. The embargo, which remains in place, has seriously jeopardized the legitimate rights and interests of Cuba and other States, as well as the freedom of trade and navigation, and should, in accordance with the purposes and principles of the Charter of the United Nations, be brought to an end.

Colombia

[Original: Spanish]
[22 June 2006]

The Government of the Republic of Colombia, pursuant to the principles enshrined in the Charter of the United Nations, has neither promulgated nor applied unilaterally any laws or measures against Cuba or against any other State which might affect the free development of that State's economy or trade.

Congo

[Original: French]
[17 July 2006]

1. The Government of the Republic of the Congo reaffirms its commitment to the provisions of the Charter of the United Nations and to the principles of international law. It wishes to confirm that it does not intend to associate itself with the application of the economic, trade and financial embargo against Cuba, a unilateral measure that runs counter to free trade and navigation.

2. It is in that spirit that the Congo voted, as in previous years, for resolution 60/12; consequently, it has neither promulgated nor applied any laws of the kind referred to in the above-mentioned resolution.

Costa Rica

[Original: Spanish]
[18 July 2006]

The Government of Costa Rica wishes to state its position on that resolution and to reiterate its commitment to the principles of multilateralism as well as its rejection of unilateral measures against any State. Costa Rica has therefore fully complied with the above-mentioned resolution.

Cuba

[Original: Spanish]
[18 July 2006]

1. The genocidal embargo which has been imposed on Cuba by the United States for more than four decades, and which has been intensified over recent years, has been condemned by the United Nations General Assembly, virtually unanimously, on 14 consecutive occasions. Last year, 182 States demanded an end to the embargo and once again stressed its extraterritorial application, in defence of the principles and norms of international law.

2. The United States Government continues to ignore such calls and never ceases to strengthen the framework of measures and laws designed to crush the Cuban Revolution and deny its people the enjoyment of their right to self-determination.

3. The ambitions to annex Cuba to the United States date back to the eighteenth century. The American military intervention of 1898 robbed Cubans of their right to be free. The sovereignty so nobly earned through 30 years of unequal conflict against Spanish colonialism was denied to the Cuban people through the imposition

of a sham of a republic that was subject to the humiliating protection of a constitutional appendix — known as the Platt Amendment — by which the nascent American empire endowed itself with the power to invade and occupy Cuba by force whenever Washington deemed it necessary.

4. The embargo has been an essential component of the United States' anti-Cuban policy since the very day on which the Cuban people acceded to power and gained control over their own destiny. America refused to return to Cuba $424 million from the reserves of the National Bank, which had been stolen by the ringleaders of Batista's dictatorship as they fled the country and then deposited in banks in the United States, which gave the ringleaders shelter and impunity. In a State Department memorandum of 24 June 1959, Secretary of State Christian Herter affirmed that these "initial steps" would constitute "measures of economic warfare".[1]

5. In a document dated 6 April 1960 the determination of the United States Government was made more explicit, with the decision that prompt use should be made of "every possible means to weaken the economic life of Cuba ... to bring about hunger, desperation and the overthrow of the government".[2]

6. The Bush Administration is now engaged in a new effort to annex and conquer the Cuban people, resorting to grave and illegitimate measures and actions that are becoming increasingly hostile and dangerous. The activities of the so-called Commission for Assistance to a Free Cuba — whose first report was approved by the American President on 6 May 2004 — have been accompanied by an intense and irrational escalation of the economic, commercial and financial embargo against Cuba. The prosecution and repression of anybody who has any link with Cuba, anywhere in the world, have reached unprecedented levels.

7. In December 2005 Secretary of State Condoleezza Rice, who now heads the aforementioned anti-Cuban Commission, announced new measures aimed at increasing the negative impact of the embargo and the effectiveness of other hostile actions against the Cuban people, measures, which she cynically called "updated recommendations to hasten democracy and an inter-agency strategic plan to assist a Cuban-led transition".[3]

8. On 20 June 2006 the State Department website announced the second version of the anti-Cuban plan developed by the Commission established by President Bush. The plan set out new measures, which translate into more economic sanctions, increased persecution of Cuban companies, greater reprisals against those trading with Cuba, and an unprecedented increase in the financial and material support provided for actions aimed at overthrowing the constitutional order endorsed by the Cuban people.

9. This new report, although very similar to that submitted in 2004, includes a secret clause, with recommendations that were not published, supposedly for reasons of "national security and effective implementation". The Cuban people know well, and have endured for more than four decades, the brutal consequences of

[1] Secret report by State Department official L. D. Mallory, declassified in 1991, in *Department of State: Foreign Relations of United States*, vol. VI, 1991, p. 886.

[2] Idem.

[3] Closing remarks by Secretary of State Condoleezza Rice at a meeting of the Commission for Assistance to a Free Cuba. White House Press Office, 19 December 2005.

the sort of "covert" measures and actions now being concealed by the anti-Cuban Commission. These "secret" proposals have included everything from mercenary acts of military aggression and terrorist actions to hundreds of assassination plans.

10. With the aim of impeding the sustained growth in Cuba's nickel and petroleum production, the Commission's latest report recommends the establishment of a specific Commission to suppress the production of Cuban nickel, as well as the imposition of sanctions on companies involved in petroleum prospecting and production.

11. Two thirds of all Cubans were born and have grown up under the impact of this criminal embargo policy. All Cuban people — children, young people, adults and the elderly — have had to live and grow up under the harsh conditions imposed on them by a superpower that seeks to crush the Cuban nation's resistance and the model of dignity and sovereignty that it represents, even to the point of destroying it if necessary.

12. Because of the embargo, Cuba may not export any product to the United States, nor may it import any goods from it; nor may it trade with the subsidiaries of American companies based in third countries; it may not receive United States tourists; it may not use the dollar in its external transactions; it may not have access to loans, nor may it conduct any operations with multilateral, regional and United States financial institutions; and its vessels and aircraft may not make any stopovers in United States territory.

13. The United States Government has become increasingly strict in its application of those provisions of the embargo that have extraterritorial effect. The introduction and implementation of the Torricelli Act (1992) and the Helms-Burton Act (1996) are ethically and legally untenable.

14. The "transition" — which in fact refers to the so-called "regime change" — is the policy chosen by the Bush Administration to fight the revolution of the Cuban people. The principal tenant of the White House has issued instructions "to identify additional measures to bring about an expeditious end of the Castro dictatorship".[4]

15. The brutal and ruthless pressure imposed by the United States Government on the Cuban economy and Cuban society affects each and every one of the country's spheres and areas of activity. This report analyses the impact of the embargo on the people of Cuba during the period covering the second half of 2005 and the first half of 2006.

16. The effects have harmed not only Cubans. The persecution of citizens and companies from the United States and the rest of the world, and the reprisals taken against them, have been numerous. The relentless financial scrutiny of all Cuban economic and commercial transactions in all kinds of markets has intensified, the prohibitions and restrictions on travel, the sending of remittances and academic exchanges in various areas have been tightened, and the punitive actions taken against investments and tourism in the country have worsened.

17. As has been demonstrated on numerous occasions, the embargo constitutes an act of genocide, under paragraph (c) of article II of the Geneva Convention for the

[4] Remarks by President George W. Bush following his meeting with the Commission for Assistance to a Free Cuba. Office of the White House Press Secretary, 6 May 2004.

Prevention and Punishment of the Crime of Genocide of 9 December 1948 and as an act of economic war, according to the documents adopted in 1909 by the London Naval Conference. Furthermore, it constitutes an essential component of the policy of State terrorism that is applied systematically and inhumanely by the Government of the United States against the Cuban population without distinction as to gender, age, race, religion or social position.

18. The direct economic damage caused to the Cuban people owing to the imposition of the embargo, based on the most conservative analysis, exceeds $86.108 billion. This figure does not include the more than $54 billion in direct damage caused to the country's economic and social objectives by the acts of sabotage and terrorist activities encouraged, organized and financed from the United States, nor the value of the products whose production ceased or the damage resulting from the onerous conditions imposed on Cuba for obtaining credit. Over the past year, the direct economic damage caused to Cubans by the imposition of the embargo amounted to more than $4.108 billion.

Direct damage caused by the United States embargo
(Cumulative figures up to end 2005)

	Millions of dollars
Lost income from exports and services	39 427.5
Losses from geographical relocation of trade	19 592.0
Impact on production and services	2 866.2
Technological embargo	8 483.2
Impact on service to the population	1 565.3
Financial and monetary impact	8 640.2
Impact of brain drain	5 533.8
Total impact of United States embargo	**86 108.2**

19. In 2005, at least 38 countries were affected by the extraterritorial provisions of the embargo policy against Cuba.

20. The fines imposed by the United States Office of Foreign Assets Control (OFAC) on United States citizens for travelling to Cuba and buying Cuban goods increased by 34 per cent.

I. Intensification of the United States embargo

Steps taken against Cuba

21. On 2 June 2005 the Head of the Office of Cuban Affairs in the State Department, Kevin Whitaker, indicated that the "Commission for Assistance to a Free Cuba" had achieved very significant success in the defined areas and planned to step up its efforts in the future. He noted that, since August 2004, travel by Americans to Cuba had decreased and the country's income had fallen by 60 per cent.

22. On 27 July 2005 the Assistant Secretary of State for Western Hemisphere Affairs, Roger Noriega, announced the allocation of $8.9 million for the year 2005

and $15 million for 2006 with the aim of implementing the recommendations of the Cuba annexation plan adopted in May 2004.

23. On 11 August 2005 the Department of Justice announced that the United States Foreign Settlement Commission had established a second programme on Cuba for corporations and citizens that had brought new claims against the Cuban Government for property nationalized since the closure of the previous programme on 1 May 1967.[5]

24. On 4 October 2005, the State Department's Office for Western Hemisphere Affairs issued a bulletin announcing a tightening of the policy of denying United States work visas to Cuban artisans whose activities would supposedly bring financial benefit to the "Castro regime". Never before had Washington so brutally suppressed cultural exchange between our peoples.

25. In October 2005, Caleb McCarry, appointed by the State Department as a so-called "transition coordinator" for "regime change" in Cuba, stated that, during the months since the imposition of the new anti-Cuban plan in May 1984, the tightening of the economic embargo had cost the Castro regime $500 million.

26. On 27 January 2006 OFAC began an auditing programme with respect to travel agencies that offered Cuba as a destination, aimed at imposing a veritable climate of terror and making the travel ban even stricter. OFAC spokeswoman Molly Millerwise announced that the Office would carry out 25 such audits each year in order to ensure that travel providers complied strictly with the law, educate them on the need to maintain the restrictions in force, and strengthen OFAC regulations on compliance with the programme of sanctions against Cuba. A number of agencies had their licences revoked.

27. On 13 February 2006, new OFAC regulations on the system of fines applicable to banking institutions violating American laws on sanctions against various countries, including Cuba, entered into force. Violators may be subject to civil investigation, assessment by OFAC of the offending conduct, or criminal investigation and indictment. This measure increased even further the pressure on banks to comply with the provisions of the embargo.

28. On 4 May 2006 the representative of the anti-Cuban mafia in the United States Congress, Ileana Ros-Lehtinen (Republican-Florida) introduced Bill H.R. 5292 "To exclude from admission to the United States aliens who have made investments contributing to the enhancement of the ability of Cuba to develop its petroleum resources, and for other purposes". This bill proposes the prohibition of bank loans, specific licences or export permits and the denial of loans to foreign companies making related investments evaluated at $1 million or more.

29. On 11 May 2006 the representative of the anti-Cuban mafia in the Senate, Mel Martinez (Republican-Florida) introduced Bill S. 2795, which had the same title as, and a similar text to H.R. 5292, which had been introduced into the House of Representatives by Ms. Ros-Lehtinen a week earlier.

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[5] As is well known, the United States Government was the only one that did not accept a negotiating process to guarantee compensation to American nationals affected by the nationalization process carried out by the Cuban revolutionary Government. The imposition of the embargo prevented a satisfactory solution from being found with respect to the interests of that country.

Pressure, threats and penalties against persons, institutions and non-governmental organizations

30. The persecution of, and imposition of penalties against citizens and companies, with special emphasis on travel agencies, have increased. The pressure imposed on religious American organizations, academics and other non-governmental organizations has also been stepped up with a view to hampering the development of their links and exchanges with their counterparts in Cuba.

31. During the year 2005, citing the violation of various regulations of the embargo against Cuba, OFAC imposed fines on eight companies and banking institutions for a total amount of $44,225. It also imposed fines for violation of the embargo, and specifically the regulations on travel to Cuba, on 487 citizens or residents of the United States, for a total amount of $529,743. In 2004, 316 individuals were fined a total amount of $497,780.

Persecution of, and reprisals against citizens and companies

32. On 12 October 2005 OFAC reported that six United States citizens had been fined for travelling to Cuba with $8,875, in violation of the embargo regulations. Four had been fined for simply supplying, transporting and buying food and drink in the country. The other two were penalized for bringing Cuban goods into the United States.

33. On the same date, the company Archer Daniels Midland (ADM) was fined $13,750 for alleged violations of the rules of the embargo against Cuba which were said to have occurred between February and March 2000. According to OFAC, the company Finora Canada Ltd., a Canada-based subsidiary of ADM, had signed contracts with the Cuban Government and carried out various export transactions.

34. On 3 January 2006 OFAC reported that four United States citizens had been fined $4,200 for travelling to Cuba and carrying out tourist-type activities in the country.

35. In January 2006 OFAC sent to the Mexican Tax Administration Service (SAT) its updated "black list", in which it requested that the accounts of companies and individuals alleged to be linked to drugs trafficking, the financing of terrorism and the Cuban Government should be blocked, stating that the United States Department of the Treasury had identified nine companies and nine individuals in Mexico that were linked to the Cuban Government.

36. In April 2006, as part of the OFAC programme of on-site audits of travel agencies offering Cuba as a destination, 16 agencies lost the right to offer trips to the island. During the early months of 2006 and until mid-May, the list rose to 26, four of which were considered to have committed "flagrant violations" of the conditions set out in their licences: Baby Envíos Travel, Fortuna Travel Services, Cubatur Express and La Estrella de Cuba.

37. At the end of May 2006, OFAC suspended the licences of three other very active agencies which were offering voyages and transmittance services to Cuba: La Perla del Caribe, Transeair Travel and, lastly, Uno Remittance Inc., which specialized in sending family remittances.

Pressure on religious and academic organizations and United States non-governmental organizations

38. In July 2005 United States Customs and Border Protection Department agents seized 43 boxes of computer equipment donated by the Pastors for Peace caravan as humanitarian assistance to the children of Cuba. The equipment was returned almost a year later following a tough battle by the humanitarian agencies.

39. On 22 November 2005, the Treasury Department did not renew the United States National Council of Churches travel authorization for Cuba.

40. In December 2005 the United States Department of Commerce denied the non-governmental organization, USA-Cuba InfoMed, authorization to donate 126 computers intended for teaching and remote courses in five hospitals of the Cuban public health system.

41. Fewer licences were granted to United States universities to undertake academic activities in Cuba in 2005. A case in point is Harvard University, which was twice denied authorization to take post-graduate students to Cuba on study tours.

Opposition to the embargo within the United States

42. The voices of those advocating changes in United States policy towards Cuba have not been silenced despite considerable pressure, robust measures, increased Federal funding for such purposes and increasingly aggressive lobbying against Cuba by the Miami terrorist mafia in collusion with representatives of imperialist policy within United States circles of power who favour the annexation of Cuba. The activists for change include distinguished political figures, business sectors, state governments, religious leaders and non-governmental organizations that make abundantly clear their opposition to the embargo.

43. On 21 July 2005 the United States Senate Committee on Appropriations adopted an amendment to the Transportation, Treasury, the Judiciary, Housing and Urban Development, and Related Agencies Appropriations Act, 2006, that prohibits the use of funds appropriated for administering or implementing the OFAC measure of February 2005 that narrowly reinterpreted the concept of payment in cash in advance for purchases by Cuba of food from the United States. That amendment, which was also approved by the Senate, was not voted into law because President Bush threatened to veto it.

44. On 8 July 2005, as proof of the growing interest of many sectors in the United States in normalizing trade between the two countries, the US-Cuba Trade Association sent a letter signed by 62 national associations, organizations and agricultural companies based in 20 states to more than 20 senators, including members of the Appropriations Committee, urging them to take steps to make the process of selling agricultural products to Cuba more flexible.

45. From 1 to 5 November 2005, 360 businessmen representing 169 companies from 30 states of the United States flew to Cuba to participate in the Havana International Fair.

46. On 3 March 2006, 105 congressmen sent a letter to the Secretary of the Treasury questioning the measures taken by the Treasury to prevent various religious organizations from travelling to Cuba. A few days later, key United States

religious leaders wrote to both the Secretary of State and Secretary of the Treasury to express their "profound objection to the new policy which has resulted in OFAC's denial of renewal of the licences held by national churches and ecumenical agencies for religious travel to Cuba".

47. On 6 April 2006 the Legislature of Alabama adopted a House Joint Resolution (HJR 106) "Urging Congress to remove trade, travel, and financial restrictions from Cuba".

48. On 13 April 2006 a conference on "Doing business in Cuba" was held in Orlando, Florida; it was attended by 54 representatives of United States companies interested in expanding trade with Cuba.

49. At its 29th Annual Legislative Conference, the National Black Caucus of State Legislators (NBCSL) passed a resolution urging the President of the United States to lift the current United States embargo on Cuba and to restore full diplomatic relations with Cuba.

50. Despite the tightening of travel restrictions, the United States Government has not been able to dampen the interest of many political representatives, businessmen, members of religious orders and others in visiting our country and engaging in a frank and open-minded dialogue based on mutual respect. During the period covered by this report, two Governors, a Deputy Governor, a Senator, a representative, two congressional aids, a number of prominent persons from states and more than 360 businessmen representing over 30 states visited Cuba.

2. Extraterritorial aspects of the embargo policy

51. During the period under consideration, the extraterritorial application of the embargo against Cuba continued to affect States, citizens and businesses of third countries. The embargo policy prohibits:

- Subsidiaries of United States companies based in third countries from carrying out any type of transactions with Cuban companies;
- Third-country companies from exporting to the United States any products of Cuban origin or products containing Cuban inputs;
- Third-country companies from selling to Cuba goods or services which contain more than 10 per cent United States components even where their owners are third-country nationals;
- Ships carrying goods to or from Cuba from entering United States ports, irrespective of the country of registration;
- Third-country banks from opening accounts in United States dollars for Cuban legal or natural persons or from carrying out financial transactions in that currency with Cuban entities or persons;
- Third-country businessmen from making investments or doing business with Cuba in connection with property claimed by United States nationals or Cubans who became naturalized United States citizens.

Prosecution and punitive action against Cuban financial assets

52. With the introduction of the new banking regulations adopted by OFAC in early 2006, United States banking regulatory agencies began to apply uniform sanctions against violators.

53. During the reporting period, there was a considerable increase in the pressure on foreign banks to stop correspondent relations with Cuban banks:

- In October 2005 the Union Bank of Switzerland (UBS) stopped the current account services in dollars and Swiss francs it provided to the Cuban banking system and it began to reject all transactions with Cuban banks fearing that new United States sanctions would be imposed on it;
- The London HSBC bank decided unilaterally in September 2005 to close the dollar account that the Metropolitan Bank maintained with it. The branch of that Bank in Canada returned payments of one million Canadian dollars and 819,900 euros sent through the Banco Internacional de Comercio S.A, citing the anti-Cuban regulations of OFAC. In February 2006, that same bank did not process a transfer of 15,500 Canadian dollars to Cuba for the same reasons;
- On 7 November 2005 the Natexis Banques Populaires of France informed the Banco Internacional de Comercio S.A that it could not honour an unconfirmed letter of credit in the amount of $903,900 payable in euros. As a result, the transaction was cancelled and the credit was transferred to another bank;
- The Republic Bank, whose headquarters is in Trinidad and Tobago, informed the Banco Internacional de Comercio S.A by phone that it could not continue processing Cuba's payments to United States farmers; this affected transfers by Alimport to United States exporters against duly authorized payments;
- In February 2006, upon instructions from its head office in the United States, the Argentine export-import company, Furbia International S.A., was forced to close its bank accounts with Discount Bank of Uruguay as well as those in the United States through which it had operated for over 35 years. It was claimed that the name of the company president appeared on the list of specially designated nationals by virtue of their traditional trade ties with Cuba;
- In March 2006 the Jamaican branch of the Bank of Nova Scotia, Canada, informed the Embassy of Cuba in Jamaica that it could not keep the Embassy's account nor transfer funds in United States dollars — a flagrant violation of both Jamaican and Canadian law. The Foreign Extraterritorial Measures Act, designed to protect Canadian companies from the provisions of the Helms-Burton Act, is in force in Canada;
- A bank transfer in the amount of 2,154 euros from Nedbank, the Namibian-South African bank, to the Cuban Ministry of Fisheries company Pesport, in payment of transactions with the Namibian company Dragnam, was withheld by a United States bank;
- The bird ecology research group of the University of Havana Faculty of Biology was unable to receive funding of £30,000 for a project from the Whitley Fund for Nature, a United Kingdom NGO. The first bank transfer of £15,000 was made through the HSBC Bank PLC of London, which sent the funds via New York; they did not arrive at their destination. The Bank

informed the donor NGO that the funds had been withheld by the United States Treasury Department.

54. Contributions to multilateral organizations have not been spared from the morbid anti-Cuban witch-hunt. In 2006, Cuba has not been able to pay its contributions to two Geneva-based international organizations: the International Telecommunications Union (ITU) and the World Meteorological Organization (WMO) owing to the refusal of the Union Bank of Switzerland, which maintains the accounts of both international organizations, to receive Cuba's money.

55. OFAC notes in a report it sent to the United States Congress that in 2005, $268.3 billion worth of Cuban assets were frozen in United States banks as a result of the embargo.

Extraterritoriality in other sectors

56. In February 2006 the Cuban business delegation that participated in the US-Cuba Energy Summit held in Mexico City was evicted, on the orders of the Treasury Department, from the Hotel Maria Isabel Sheraton where it was staying. The hotel is owned by the United States firm of Starwood Hotels and Resorts Worldwide. The hotel's management confiscated the deposit that the Cuban mission had paid for its stay and handed it over to OFAC.

57. The repairs that the Moa Nickel company needed to carry out at its factory turned out to be more expensive and their implementation was delayed because the Brazilian supplier had to withdraw from the contract for the repair of turbogenerator No. 1, since it is a subsidiary of a United States company. That Brazilian company received threats, including threats to dismiss those in Brazil who had been involved in negotiating the contract with Cuba.

58. The refusal of Cytec Canada Inc to sell the solvent extraction reagent, Cyanex 272, which, it had been decided, would be used in the new technology for the expansion of the Cobalt Refinery Company Inc (COREFCO)[6] in Canada, delayed the project for the expansion of the refinery by seven months and increased refining costs by about $2.20/lb of nickel and cobalt.

59. In July 2005 the company, Dresser Rand Group Inc, instructed its subsidiary in Brazil to stop its negotiations with the Canadian-Cuban joint venture company, Moa Nickel S.A., which operates in the mining sector. The former, which is based in New York and manufactures turbines and compressors for the energy sector, publicly announced in April 2006 that it would most likely face United States Government sanctions because of its subsidiary's business dealings with the Cuban company.

60. During the months of October and November 2005, Spanish hotel chains, especially those based in Majorca, that managed or invested in Cuban hotels, began to receive notifications from the State Department of the United States informing them that owners of the chains, their employees, shareholders and family members would be denied entry into the United States for occupying and deriving profits from property confiscated in Cuba. The notifications were signed by Stephen G. McFarland, Director of the Office of Cuban Affairs.

[6] COREFCO, based in Fort Saskatchewan, Alberta, Canada, is part of the Canadian-Cuban joint venture Moa Nickel S.A.

61. The ALCOA company in Spain said that it could not process an order for 2,000 tons of aluminium sections for the construction of doors and windows needed for the refurbishment of polyclinics, hospitals and schools because its corporate headquarters were in the United States.

62. Raysel Sosa Rojas, a Cuban boy who won the International Children's Drawing Competition on the Environment organized by the United Nations Environment Programme, could not receive his prize owing to the refusal of the Japanese firm Nikon to award him a digital camera, which is what was given to all regional winners; the firm claimed that it was prohibited from doing so under the United States embargo. Nor did he receive the cash award of $1,000 that goes with the prize because the competition's organizers claimed they were looking into ways of delivering the money to him purportedly because of problems that some banks would raise.

63. The extraterritoriality of the embargo is also evident in the consistent measures to deny Cuba access to modern technologies and advances in science as well as to training of our technicians and specialists in those fields.

64. A Cuban specialist, who works with a foreign company doing business with Cuba and who was sent for training in Canada on programmable logic controllers (PLCs) that are applied in his company, was expelled on the second day of the training course when his nationality became known. He was told that his participation in the course violated the United States export regulations.

65. Negotiations by the International Civil Aviation Organization with the Canadian firm ADACEL for the purchase of a radar air traffic control simulator for Cuba failed because the General Manager and the Chief Financial Officer, who are United States nationals, said that it was against their country's laws. Since it does not have a simulator in Cuba, the Empresa Cubana Aeroportuaria y Servicios Aeronáuticos (ECASA) has to spend approximately $250 million a year on the retraining of air traffic controllers abroad.

66. The Netherlands entity, ePayment-Cuba, which acted as an electronic commerce payment gateway, announced in June 2005 that it was withdrawing from the business, since it was prohibited under the embargo from continuing to provide those services to Cuba. As a result, transactions were halted for three months, affecting sales to the tune of some $10 million.

Impact on foreign trade

67. Old mechanisms created to track down Cuban funds and commercial transactions even in the most distant markets were reactivated during the reporting period. In 2005, the impact of the embargo on Cuba's foreign trade was over $945,320,000, which was almost 15 per cent and $122,720,000 higher than the total for 2004.

68. While the most significant adverse impact in 2005 on both exports and imports — $536,790,000 — was caused by the impossibility of having access to the United States market, the high country risk assigned to Cuba as a result of the United States embargo also had a very serious adverse financial impact on Cuba's external trade. In 2005 that financial impact amounted to over $320,765,000, reflecting the difficult conditions imposed on Cuba for gaining access to financing.

69. During 2005 even the limited purchases of agricultural products from the United States, including food, had an economic cost of $66,300,000. The restrictions and complicated mechanisms established by the United States Government for the sale of those products to Cuba were maintained; they include currency exchange costs arising from the necessity of carrying out transactions through intermediary banks; delays in the unloading of ships owing to tardy receipt of payments from the Cuban agency concerned and the increase in freight charges of about 20 per cent owing to the prohibition on Cuban vessels carrying those products as well as the prohibition on United States vessels or vessels from other countries from picking up cargo in Cuba. Apart from the foregoing, there are also difficulties inherent in the issuance of export licences and the stricter application of restrictions for the issuance and renewal of travel licences to Cuba for executives.

70. The effects of the embargo have been exacerbated by the intense and accelerated acquisition of companies, mergers, mega-mergers and strategic global partnerships in the context of neo-liberal globalization, a process in which the United States plays a leading role. That situation is further shrinking Cuba's already small external economic space. In the reporting period, Cuba was affected at least by the acquisition of 16 third-country companies by United States companies, with the subsequent loss of markets in eight countries forever.

Section 211 of the 1990 United States Omnibus Consolidated and Emergency Supplemental Appropriations Act and further trademark-related violations

71. For the eighth year in a row, Cuba denounced at the World Trade Organization (WTO) the application by the United States Government of Section 211 Omnibus Consolidated and Emergency Supplemental Appropriations Act, under which Cuban owners and their heirs, including foreign companies with interests in Cuba, are denied the recognition and enjoyment, on United States territory, of their rights to trademarks or trade names that are registered and protected in Cuba.

72. Section 211 extends, into the realm of intellectual property, the provisions of the Helms-Burton Act, which was promoted, by the Bacardi company, among others.

73. The application of Section 211 has very negative implications not just within the context of bilateral relations between Cuba and the United States, but also in the multilateral context. In the bilateral sphere, it seeks to prevent foreign investment in the island deriving from the international marketing of Cuban products whose trademarks and trade names have won international prestige. Until Section 211 was approved, the intellectual property rights of owners, both natural and juridical persons, in both countries continued to be recognized on a mutual basis, despite the embargo.

74. The application of Section 211 by a New York court prevented a finding in favour of a company with Cuban and French interests (Havana Club Holding) in a lawsuit brought in 1996 — prior to the approval of Section 211 — in response to the unauthorized assumption by Bacardi of the right to use the Havana Club trademark in the United States by fraudulently marketing in that country a rum produced outside Cuba.

75. In fulfilment of its international obligations, Cuba has honoured and continues to protect the rights of hundreds of American companies that maintain registrations of more than 5,000 trademarks, trade names and patents in Cuba.

76. In January 2002 the Appellate Body of WTO decided, at the request of the European Union, that Section 211 was contrary to the national treatment and most-favoured-nation obligations of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), and recommended that the United States bring the legislation concerned into conformity with those obligations, within a reasonable period of time.

77. The repeated postponement by the United States Government of its compliance with the WTO decision proves its lack of political will to help ensure the effectiveness of that body's procedures for the settlement of disputes and its double standards concerning respect for intellectual property rights.

78. Bill S. 691, introduced on 4 April 2005 by Senator Pete Domenici (Republican-New Mexico) and co-sponsored by Senator Mel Martinez (Republican-Florida), seeks to disguise Section 211 in cosmetic changes, creating the false impression that the necessary amendments have been made to comply with the recommendations of the WTO Appellate Body and, thereby, be able to keep it in force. This bill has a corresponding version in the House of Representatives (Bill HR-1689), introduced on 19 April 2005 by Representative Tom Feeney (Republican-Florida) and co-sponsored by House members opposed to the lifting of the embargo against Cuba, such as the mobster Ileana Ros-Lehtinen and Dan Burton.

79. In January 2004 the United States Patent and Trademark Office (USPTO) denied Bacardi's request to cancel the registration of the Havana Club brand name that had been granted to the Cuban company Cubaexport in 1976, confirmed by the partial ruling of the New York court in 1998. This ruling has been appealed by Bacardi in the courts, clearly demonstrating its interest in expropriating the brand name pursuant to Section 211.

80. On 19 June 2006 the robbery of another prestigious Cuban trademark was perpetrated when the United States Supreme Court refused to review the decision of the Court of Appeals for the Second Circuit of New York concerning the prestigious Cohíba trademark for Cuban cigars. According to the court's reasoning, in the case of Cuba, the illegitimate and unilateral rules regulating the hostile embargo policy take precedence over the international obligations of the United States.

81. The Supreme Court had received the recommendation of the United States Government not to review the case, arguing that the Cuban company that owns the Cohíba trademark had the option of applying to the United States administration for a licence to register the trademark in its name.

82. The United States authorities cynically omitted to mention in their recommendation to the Supreme Court that the Cuban company had already applied for that licence and had never received a reply.

83. The maintenance of Section 211 by the United States and the development of other actions intended to usurp on its territory Cuban trademarks which are widely recognized internationally and protected by international conventions and treaties could give rise to a climate of uncertainty and the questioning of these rights, with

real consequences not only for Cuba but also for the economic and commercial interests of companies within the United States itself.

3. Impact on various economic and social sectors

Effects on the sectors suffering the greatest social impact and others

84. The embargo has caused considerable damage to the Cuban economy and to the standard of living of the Cuban people. While all economic sectors, branches or activities are affected by this economic war, its impact on the food, health, education, sports and transport sectors is more pronounced.

Food

85. During the period from April 2005 to March 2006, the embargo cost the food industry over $62,900,000, essentially because of its negative impact on the production of food to feed the people. This sum could have been spent on introducing new technology to Cuba's dairy industry and partially modernizing its operations.

86. The ban on access to the United States market, which includes some of the poultry industry's leading companies, made it very difficult to introduce improved technologies into this sector, preventing the acquisition of machinery, incubation plants and other inputs that are essential to Cuba's national poultry industry. Had Cuba been able to employ this technology, it would have been able to produce an additional 133 million eggs.

87. The embargo creates risks for the country, leading to financial losses such as those incurred through the freezing of substantial resources. As a result of the embargo, Cuba was forced to invest more than $12 million in 2005 to support excess inventories of food products, with the result that the country's cold-storage-system capacities were 70 per cent higher than they would have been if the industry had not been affected by this hostile policy.

88. Another consequence of the ban on access to the United States market was that Cuban fisheries companies were unable to acquire the HACCP[7] diagnostic test kit supplied by the United States company Neogen. This kit is an analytical tool for monitoring food-safety management systems. As a result, Cuba was forced to use monitoring procedures that increased the operational costs of its quality-control systems.

Health

89. During the period covered by this report, the embargo cost the health sector an estimated $48.6 million, and this figure does not include the harm and suffering that this policy caused the Cuban people. Cuba could have used this sum to invest in programmes to renovate polyclinics and hospitals or to purchase a year's worth of medical consumables for its health-care institutions.

90. The treatment of patients needing dialysis in Cuba was affected by the embargo. Leading international companies in the sector, such as the United States firm Baxter, were prevented from responding to requests from Cuba to provide

[7] Hazard Analysis and Critical Control Point.

continuous ambulatory peritoneal dialysis. Cuba had proposed that this company should begin providing its dialysis service to children suffering from terminal chronic renal disability living in remote rural areas, using the infrastructure provided by the primary health-care system, which currently has 2,032 patients in need of this treatment, including 30 children. Cuban children are thus condemned to continue with the traditional treatment method, intermittent peritoneal dialysis, which requires that they attend hospitals for treatment every other day.

91. The American non-governmental organization Atlantic Philanthropic Service Co. was prevented from donating a molecular biology laboratory to Cuba's Nephrology Institute because the United States Department of the Treasury denied permission. The Institute was thus prevented from using advanced technologies that would have increased the survival rate among patients receiving kidney transplants.

92. Since it was not possible to purchase spare parts in the United States market, the Institute of Oncology and Radiobiology was unable to repair the American Lexmark high-resolution colour printers used in radiotherapy equipment.

93. The need to import pesticides, fumigation equipment and medical entomology resources from distant markets, due to the ban on access to the United States market, had an impact in terms of product prices, transportation, and delivery times. As a result, Cuba was forced to pay 25 per cent more than the price charged for this equipment and these pesticides in the United States.

94. The Pedro Kouri Cuban Institute of Tropical Medicine was unable to purchase equipment for pulsed field gel electrophoresis because the firm that sells this technology, Biorad, is American. The Institute is part of the PulseNet network for Latin America, which is responsible for the molecular epidemiological surveillance of the bacteria salmonella, E. coli, shigella and Vibrio cholerae, which cause severe gastrointestinal infections, particularly in children. Even though the Institute is a member of this network, Biorad refused to enter into negotiations on the matter.

95. Cuba has been forced to turn to other markets to purchase medical supplies at higher prices than those charged in the United States, as the following examples show:

- Owing to the depletion of the reserves of the Pedro Kouri Institute of Tropical Medicine, and within the framework of the Global Fund to fight AIDS, Tuberculosis and Malaria administered by the United Nations Development Programme (UNDP), Cuba submitted a request to purchase the antiretroviral drug Tenofovir from the American laboratory Gilead. The drug had been intended for Cuba's HIV/AIDS sufferers. Despite the urgency of the matter, Gilead replied that it could not supply the drug because to do so it would require an export licence from the United States Government. Cuba decided to purchase the drug from the company Alfarma S.A. at an additional cost of $299,988.

- Under a national project being run by Cuba in conjunction with the United Nations Population Fund (UNFPA) in the area of sexual and reproductive health, Cuba requested the contraceptive Depo-provera from the United States multinational Pfizer, which replied that it could not supply this product to Cuba, because of the embargo, as it would need licences that it would take several months to acquire.

Education

96. Cuba continues to promote the implementation of ambitious and revolutionary programmes of excellence in the education sector. In doing so, it has had to deal with the negative effects of the embargo. It is estimated that in 2005 the financial cost of this criminal policy was $9.8 million, taking into account only teaching and technical materials for schools at the various grade levels, which had to be purchased at prices higher than those in the United States. Had there been no embargo, Cuba would have been able to purchase 25 per cent more of these teaching materials for its schools.

97. The embargo imposes obstacles that affect school maintenance and repairs. During the period covered by this report, Cuba paid an additional $2.3 million to acquire building materials needed for schools, because of the remoteness of alternative markets to the United States market. With this sum, Cuba could have completed five special education schools whose construction had been halted, and repaired some 40 day-care centres.

98. Although the Cuban Government has increased its investment in order to guarantee comprehensive and first-class educational and cultural development for its people, because of the embargo, and especially those provisions that prevent access to the United States market, there is a shortage of further reading, teaching and printed materials that is valued at approximately $4.4 million.

99. It continues to be difficult to acquire Braille machines for blind and visually impaired children directly from their suppliers and manufacturers in the United States, as has been denounced in previous reports. If there had been no embargo regulations, Cuba could have acquired these machines in the United States market for $700 each. Currently, they must be purchased from third countries for $1,000 each. These machines, along with Braille paper, are part of the equipment used in special schools for the blind and visually impaired, and are essential components of libraries for the visually impaired.

Sport

100. During the period under review, there was a continued increase in the extra costs incurred, as a result of the embargo, for the purchase of sporting goods and basic equipment needed for Cuba's sports industry. The simple requirement to buy them in far-off markets led to estimated additional costs of $72,000.

101. In the sport of shooting, it remains impossible to acquire tools and instruments such as Beretta rifles for Cuba's skeet team because the Italian company that manufactures them has close trade links with the United States. Nor was it possible to buy Walter 32-calibre pistols or high-quality Eley bullets for Cuba's shooting team.

102. To buy the stopwatches needed by Cuba's physical education and physical culture teachers, it was necessary to spend $583,800. If these measuring instruments had been bought in the American market, $404,600 would have been saved and 616,903 more stopwatches could have been bought.

103. The cost of purchasing balls for use in schools was $8,966,500. If the purchase had been made in the United States, it would have been possible to buy 2,270,000

additional balls. The unit price of a ball in the United States is 90 cents, and Cuba was forced to buy them at an average unit price of $4.85.

104. In the area of sports medicine, obstacles were imposed on the purchase of basic and spare materials, reagent strips, drugs, nutrients and other items manufactured in the United States, many of which are either the best quality or the only ones available in the market. In some cases it has been necessary to deactivate expensive sports-laboratory equipment because it is impossible to acquire spare parts or the latest technological information for them. For example:

- It was not possible to obtain the spare parts needed to repair a high-performance liquid chromatography (HPLC) machine and a mass spectrometer manufactured by the American firm Agilent Technologies. Both machines, which cost $217,000, currently stand idle.

- It was impossible to acquire the parts needed to repair an isotope ratio mass spectrometer manufactured by the German firm Termo Finnigan, because this firm is a subsidiary of the company Termo Quest, based in Austin, Texas. Consequently, biological samples are sent to other laboratories around the world, and a piece of equipment costing $240,000 is not being used.

Transport

105. The transport sector continues to be seriously affected by the embargo, undermining economic development and our people's standard of living. The financial impact during the period under review was $174 million. The following are some examples which illustrate the adverse effects of this criminal policy:

- The firm Selecmar saw its efforts to secure contracts with various shipping companies foiled when the companies concerned learned that it was from Cuba. Most of these shipping companies have a direct or indirect relationship with the United States.

- The company Navegación Caribe sustained losses estimated at $106,300 relating to spare parts and other components of its vessels. Bearing in mind that 53 per cent of the technology used in these vessels is American, the cost increase was due not only to rising freight charges, but also to the need to use intermediaries.

- The Cuban business group Tradex, which imports automotive equipment, spare parts and accessories, as well as other transport equipment, was forced to pay an extra $33.37 million for its transport and freight operations, reflecting the cost of intermediaries, surcharges, and borrowing costs incurred due to country risk and the ban on using the dollar.

- The total cost to the goods and passenger railway transport system during the period was $16.8 million due either to the impossibility of purchasing the spare parts needed to maintain and repair locomotives, or to delays in purchasing the parts.

Impact on other sectors of the national economy

106. In the cultural sphere, the exchange of scientific and literary publications and materials between Cuba and the United States was severely curtailed, as was the distribution and sale of other Cuban cultural products in the American market.

107. It was not possible to make the copyright payments payable by Havana-based agencies that are not members of the Agencia Literaria de Latinoamérica, because it was impossible to issue cheques in dollars or make transfers in dollars drawn against banks which are either based in the United States or have their headquarters there.

108. The sale of Cuban literature was seriously undermined by the impossibility of attending book fairs sponsored by American companies, such as the Puerto Rico International Book Fair and the Miami Book Fair. As a result, direct sales of at least $5 million were not possible. Contracts agreed with Forsa Editores and the University of Puerto Rico, worth a total of $25 million, were cancelled.

109. It was necessary to purchase items that are essential to institutions teaching the arts (violins, pianos, double basses, flutes, toe-shoes, ballet slippers, tights, ballet costumes and leotards) in third countries, resulting in an extra cost of $2.5 million.

110. The $350,000 contract for the licence to broadcast Cuba's National Baseball Series on television to the American public was cancelled for fear of reprisals by the United States Government.

111. The cost of investment in the new television station Canal de Televisión Habana, which broadcasts free of charge throughout the city of Havana, increased by $43,631 because of the need to use sales intermediaries.

112. The cost to the tourist industry was $1.175 billion.

113. Tourism was negatively affected by the embargo. The Cuban company responsible for supplying the tourism industry recorded estimated losses of $125,000 because it was forced to import from third-country markets well-known brand name products that were in high demand with tourists.

114. The British venture capital firm "lastminute.com", which owns a powerful online sales system and which had been engaged in services contracts with the Cuban business group Gran Caribe since 2004, was acquired in mid-2005 by the American company Sabre Holdings. A few weeks later the contracts were cancelled, leading to significant losses in travel bookings.

115. The University of Havana had to pay $40,000 per year for the bandwidth used for Internet access because it could not access the undersea fibre optic cable that links Cuba to the United States. For a service of this type, universities in other countries in the region pay $600 per year.

116. The financial cost to the steelworking industry during the period under consideration was $40 million, because of the high interest rates charged by commercial intermediaries, surcharges for freight and containers due to the obligation to purchase goods in Europe or Asia, the ban on using dollars in commercial transactions, among other factors.

117. The acquisition of 35 TSM freight elevators in Japan led to an additional cost of $46,000, because it was not possible to use the dollar. The letter of credit used for the transaction had to be opened with a British bank, and this increased the cost of the operation because of the exchange rate factor.

118. It was not possible to repair 39 elevators purchased between 1998 and 2001 from the Korean company LG, because LG was acquired by the American firm Otis.

It is estimated that the change of technology required for this equipment would cost $1.5 million.

119. During the period under review, the cost of the embargo to the civil aviation sector was around $173 million. The impossibility of using the United States air-traffic distribution system had an impact on the Cubana de Aviación airline. Access to the services offered by Cuba's airlines was cut by 65.7 per cent. This situation has been denounced before various offices of the International Civil Aviation Organization (ICAO).

120. Under an environmental protection project to clean up the Almendares river basin in Havana, a contract was signed with the Italian company ESSE I SRL to acquire nine mini front-end loaders. This company was unable to follow through with the contracted delivery because the shares of its Canadian supplier, which represents the Thomas brand, were acquired by an American company. As an alternative, similar equipment was purchased from the European company New Holland, resulting in an increase of $202,839 on the initial cost, and delays in project implementation.

121. The restrictions imposed on access to American technology in the hydraulic and water-supply sector have a systematic impact on projects in the sector, including maintenance of the aqueduct networks. The obstacles imposed on these activities by the embargo cause losses in flow, which can sometimes be as much as 50 per cent during periods when the country is suffering from a prolonged drought.

122. The cost of freight and the increase in the price of raw materials significantly affected light industry, particularly in the soap and perfume sectors, as well as the leather and shoe sectors, the total cost of which was $5.55 million.

123. Cuba's sugar exports were also affected by the impossibility of participating in the United States import market, country-risk factors, and the ban on using the dollar as a currency in commercial transactions. Bearing in mind that Cuban sugar exports accounted for 58.2 per cent of all United States sugar imports in 1958, it is estimated that if Cuba had maintained only a 13 per cent share of American imports, it would have earned $44.77 million.

Adverse effect on academic, scientific, cultural and sport exchanges between the peoples of Cuba and the United States

124. Among the new embargo regulations imposed by the current United States Administration, especially significant were those designed to ban, curb or impose conditions on the normal development of reciprocal academic exchanges; visits by students and professors; the flow of scientific information through various channels, the dissemination of, and adequate payment for work carried out in this sphere; and the acquisition of inputs, resources and tools for teaching and research.

125. For the past eight years the Faculty of Mechanical Engineering of the José Antonio Echevarría Higher Polytechnic Institute had been sending two professors to Peru's University of Applied Science, based in Lima, and their work had been viewed very positively. The Board of this university cancelled the cooperation agreement because it was purchased by the American multinational Laureate International Universities.

126. Cuba is at a disadvantage as a member of the network of nodes of the Centre of Excellence for the Americas Region, because of the increased payments that it has to make to the network due to the ban on using the United States dollar. The International Telecommunications Union (ITU) decided to open a specific Euro account for Cuba, under which Cuba is required to pay an extra €30 with every bank transfer.

127. The existing agreements for students taking undergraduate and postgraduate courses in public health, between Cuba's National Institute of Public Health and highly prestigious American universities such as Johns Hopkins University, Tulane University and the University of South Florida, were also revoked as part of the intensification of the embargo.

128. In 2005 the Institute of Basic Research in Tropical Agriculture was unable to take up a scholarship awarded by the Brazilian Agricultural Research Corporation to a researcher at the Institute because the embargo regulations prevent Cuba from accessing World Bank funds, on which the taking up of the scholarship depended.

129. The cultural exchange that was traditionally carried out by American ballet companies with the renowned National Ballet of Cuba was prohibited in 2005 as a result of OFAC prohibitions that have been in force since 2004. It is estimated that visits by United States artists and businessmen working in the visual arts sector declined by 75 per cent.

130. The elimination of the general permit for the participation of United States athletes in amateur and semi-professional competitions in Cuba prevented at least 96 American athletes from participating in sporting events held in Cuba in 2005.

131. The additional OFAC embargo regulations led to the cancellation of six programmes which enabled American students to spend a semester at Cuban universities as part of academic and cultural exchanges. The programmes, which were organized with various American institutions, benefited 120 young Americans each year.

132. During the period under review in this report, the granting of around 183 visas for the participation of Cubans in scientific, academic, sporting and cultural events in the United States was suspended. In many cases the visa applications never received a response, while in others the applications were denied under Section 212 F of the Immigration and Nationality Act, which denies entry to individuals whose presence in the country "would be detrimental to the interests of the United States". One might cite as an example the Cuban scientist Vicente Vérez Bencomo, a distinguished researcher in the field of chemistry and the developer of the first synthetic vaccine against haemophilus influenzae B, who was twice denied a visa during 2005. Vérez had been invited on two occasions, to receive the Award of the Tech Museum of Innovation in San Jose, California for his discovery and to give a talk to the meeting of the Society for Glycobiology in Boston, Massachusetts.

4. Some effects of the embargo on the economy of the United States, on its people and on other peoples of the world

133. The hostile and aggressive embargo against Cuba has not only caused untold suffering to citizens of this country, it has also harmed the people of the United States by limiting their ability to trade and to derive economic and social benefits, and it has also harmed the legitimate economic interests of third countries.

134. Various studies have confirmed that the normalization of relations between Cuba and the United States would benefit the United States economy by creating $21 billion in bilateral trade in goods and services in the first five years after the lifting of restrictions on travel, trade and foreign investment.[8]

135. In 2005, OFAC introduced additional restrictions on trade, which led to substantial losses for American producers and businessmen who do business with Cuba. If the current embargo restrictions limiting United States trade with Cuba had not existed, Cuba would have imported more than $800 million in agricultural foodstuffs from that country. Owing to the obstacles to trade imposed under the embargo, United States exporters of agricultural products failed to earn around $300 million in 2005 because the products were imported from other markets. It is estimated that sales of rice to Cuba fell by 25 per cent because of the application of new OFAC measures during 2005.[9]

136. The cost of health care in the United States is extremely high, and some 45 million United States citizens do not have health insurance. The strict embargo policy imposed on Cuba prevents the people of the United States from benefiting from the health-care achievements of the Cuban Revolution, which have been recognized around the world.

137. As a result of the embargo regulations, it was not possible to begin clinical trials in the United States with TheraCIM (Nimotuzumab), a Cuban medicine for the treatment of brain tumours in children, especially of the type pontine glioma. Brain tumours are the leading cause of death by malignant diseases in children, and the incidence of malignant gliomas in the United States and Europe is 40,000 patients per year. Until now, all efforts by scientists in the United States, Europe, China and Japan to identify suitable and effective medicines have failed. TheraCIM, which is developed and registered in Cuba and other countries to treat brain cancer and cervical and uterine cancer, has proven effective in reducing the tumoural mass, and might benefit children in the United States who are suffering from this disease.

138. In the United States, approximately 20.8 million people (7 per cent of the population) suffer from diabetes,[10] a chronic disease for which there is no cure. It is estimated that one in three Americans born in the year 2000 will contract diabetes at some point in his or her life. One of the most common side effects of diabetes mellitus are foot ulcers, which are a source of morbidity and mortality. In the United States alone, more than 70,000 amputations are performed every year.

139. Cuban scientists have developed Citoprot P,[11] a unique product and treatment method which accelerates the healing of diabetic foot ulcers and reduces the risk of leg amputation. This product has been patented in various countries, and its patent has also been requested in the United States. The use of this medicine represents a real and effective solution to a clinical and social problem and, by preventing amputations that can cost up to $60,000 per patient in industrialized countries, also represents a substantial saving in health-care resources. If the embargo did not exist, millions of people in the United States could benefit from this product of Cuban biotechnology, the advantages of which remain unique in the world.

[8] Remarks by Pedro Alvarez, Chairman of Alimport, at the U.S.-Cuba Energy Summit.

[9] Bulletin of the USA Rice Federation, March 2006.

[10] Statistics of the American Diabetes Association (www.diabetes.org).

[11] World Data Service. News service of the World Data Research Centre.

140. In June 2004, the Cuban Government publicly offered the United States Government the opportunity to provide free medical care in Cuba for a period of five years to 3,000 poor United States citizens, which is the same number that died in the attack on New York's Twin Towers in September 2001. In January 2005 Cuba informed the United States that it was willing to receive 150,000 patients from the United States. On 3 August 2005 the Ministry of Foreign Affairs conveyed a message from the Cuban Government expressing Cuba's willingness to send health workers, and three field hospitals, to the areas affected by Hurricane Katrina in the United States. Cuba offered to send a medical team with proven experience in highly unusual medical situations and the resources to provide the necessary assistance to tens of thousands of Americans trapped between the floods and the destruction wreaked by the hurricane during its passage through Louisiana and other southern American States.

141. Cuba currently has the highest per capita supply of doctors in the world, and no other country has done more to cooperate with other peoples in the field of health. The failure of the United States Government to respond to Cuba's repeated offers of help indicated implicit rejection of our offers. Once again, the United States authorities showed their indifference to the poor working people of their country, who could have benefited from Cuban medical assistance. The implied refusal further aggravated the terrible situation of 1.2 million people, mostly African Americans, who were abandoned in Louisiana, Mississippi and Alabama. It is estimated that between one third and one fourth of them were children.[12]

142. In a spirit of solidarity with the people of the United States, and in its desire to help other peoples around the world, Cuba created the Henry Reeve International Contingent of Doctors specializing in disaster relief and serious epidemics. This group has already saved the lives of over 1,391,907 people affected by natural disasters around the world. .

143. The embargo against Cuba has also been used as an excuse to cover up the unwillingness of the United States authorities to help the victims of Hurricane Katrina, as they did not allow us to donate the award won by the Cuban team in the first World Baseball Classic to the victims of that natural disaster.

144. On 14 December 2005 the United States authorities brought up the arguments for the embargo against Cuba in an effort to prevent the Cuban athletes from participating in the Classic. Cuba had expressed its desire to donate any proceeds it might receive from the competition to the victims of Hurricane Katrina. The Cubans were not motivated to compete by financial concerns. Faced with strong international pressure that might have caused the event to be aborted, the United States Treasury Department had to allow the participation of Cuba, holder of three Olympic titles and 25 world crowns in baseball. In fact, Cuba placed second in the finals of the first World Baseball Classic.

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[12] Address by Fidel Castro Ruz, President of the Republic of Cuba, at the meeting of medical personnel promised to help the people of the United States in the regions affected by Hurricane Katrina, 4 September 2005.

145. The United States embargo affects the investment opportunities of its companies, especially in the energy sector. A study conducted by the United States Geological Survey (USGS)[13] shows the significant potential oil and gas reserves in the North Cuba Basin. According to USGS estimates, this region has a potential of between 1 billion and 9.3 billion barrels of oil and between 1.9 trillion and 22 trillion cubic feet of natural gas. According to the study, there is about a 95 per cent chance of success. Although the United States has industries that are world leaders in the energy sector, and it is the largest oil importer in the world, its companies are not allowed to explore and drill for oil in the Cuban exclusive economic zone (North Cuba Basin), which is located only 85.4 miles from the Florida peninsula. The embargo regulations not only limit business opportunities for United States companies, but they also limit the means for strengthening United States energy security.

146. A number of studies have shown that United States firms lose a total of US$ 565 million for every million tourists from the United States who are not allowed to visit Cuba.[14] As a result of the tightening of restrictions on travel to Cuba since 2004, only 37,168 United States tourists were able to visit Cuba in 2005. Considering that an estimated 1.8 million travellers from the United States could have visited Cuba in 2005, this means that the prohibition has cost United States companies US$ 996 million.

147. The United States imports around 148,000 tons of primary nickel and around 10,000 tons of cobalt per year from faraway markets, and it is the largest consumer of those minerals in the world. Without the embargo, the United States would be able to import over 30,000 tons per year of nickel and 2,000 tons per year of cobalt from Cuba. Cuba is not only a nearby market for the United States, it also has the second largest nickel reserves in the world.

148. Without the embargo, the two countries would be able to cooperate on issues that are of interest both to the United States Government and to the international community. The United States authorities have consistently rejected Cuba's proposals for cooperation in the areas of immigration, the fight against drug trafficking and the problem of terrorism. The Cuban Government has repeatedly reaffirmed its complete willingness to negotiate and sign such agreements with the Government of the United States, and to hold bilateral discussions on any issue whatsoever, in a spirit of strict respect for the principles of the legal equality and sovereignty of States.

Conclusions

149. By conservative estimates, the direct economic harm caused to the Cuban people by the embargo amounted to over US$ 86.108 billion. This figure does not include the direct damage to the economic and social objectives of the country, totalling over US$ 54 billion, that has been caused by acts of sabotage and terrorism that have been encouraged, organized and financed from the United States. Nor does it include the value of goods not produced or damage derived from the burdensome

[13] USGS Fact Sheet, Assessment of Undiscovered Oil and Gas Resources of the North Cuba Basin, Cuba, 2004.

[14] Study on The Impact on the U.S. Economy of Lifting Restrictions on Travel to Cuba, conducted by The Brattle Group for the Center for International Policy, Washington, D.C.

lending terms imposed on Cuba. The direct damage caused by the embargo to Cuba in 2005 amounted to over US$ 4.108 billion.

150. The administration of President George W. Bush has escalated the aggressiveness and hostility towards Cuba to unprecedented levels. It has intensified and expanded the scope of application of the laws and provisions relating to the embargo, in open violation of the principles of the Charter of the United Nations and international law, and with total disregard for the will of the international community, as expressed repeatedly and almost unanimously in successive resolutions adopted by the United Nations General Assembly.

151. The United States embargo against Cuba has caused serious suffering to the people of Cuba. Not only does it violate their fundamental human rights, it also violates the rights of Cubans living in the United States, of United States citizens and of citizens of other countries who are affected by the extraterritorial application of the embargo.

152. Despite the firm opposition of the international community to the extraterritorial application of the embargo, such measures have been increasingly applied during the past year. The fierce persecution and reprisals have become increasingly irrational, including through the persecution of Cuban financial transactions or transactions conducted by businesses having links to Cuba through banks around the world. The constant harassment of business people and the threats and sanctions against foreign investors show the total disregard of United States authorities for the sovereignty of other countries in the world.

153. The Cuban people will not renounce the enjoyment of their right to self-determination. Despite the embargo, they will continue to move ahead towards the development of the just and caring society that they decided to build 47 years ago and which offers its friendly and disinterested help to other peoples of the world, including the people of the United States.

154. Once again, the Cuban people hope they can count on the international community to support their legitimate claim to put an end to the economic, commercial and financial embargo imposed by the United States Government against Cuba.

Democratic People's Republic of Korea

[Original: English]
[8 June 2006]

1. Opposing all kinds of sanctions, including economic, commercial and financial embargoes against sovereign States, is a consistent position of the Government of the Democratic People's Republic of Korea.

2. The economic, commercial and financial embargo imposed by the United States against Cuba is an obvious infringement of sovereignty and a violation of principles and standards of international law and the Charter of the United Nations. It provokes concern and condemnation by the United Nations and the international community.

3. The economic and financial sanctions imposed by the United States against the Democratic People's Republic of Korea are also an unlawful act of interference in

the latter's internal affairs, severely encroaching upon the sovereignty of the State, which cannot be justified in any case.

4. The Government of the Democratic People's Republic of Korea urges that the United Nations take collective actions to make the United States end immediately the unilateral economic, commercial and financial embargo against United Nations Member States, in accordance with General Assembly resolutions.

Dominica

[Original: English]
[19 July 2006]

1. The Commonwealth of Dominica has neither promulgated nor applied any laws or measures that in any way hinder the freedom of trade and navigation in Cuba.

2. The Commonwealth of Dominica is in full conformity with resolution 60/12.

Dominican Republic

[Original: Spanish]
[19 June 2006]

In its international relations, the Government of the Dominican Republic acts in accordance with the standards and principles governing relations of cooperation and exchange among nations, based on the Charter of the United Nations and other rules of international law. It therefore does not promulgate or apply laws which contravene those standards and principles.

Ecuador

[Original: Spanish]
[27 June 2006]

1. The Republic of Ecuador, in accordance with its Political Constitution and the Charter of the United Nations, bases its relations with the international community on the recognition and firm conviction that international law sets forth norms of conduct of States in their reciprocal relations. It therefore does not apply any measure that might contravene the sovereignty and legal equality of States or peaceful coexistence among various nations of the world.

2. The Government of Ecuador therefore voted in favour of General Assembly resolution 60/12 and will continue to condemn the unilateral application of economic and commercial measures against Cuba.

Egypt

[Original: English]
[25 July 2006]

Egypt's consistent view is that the unilateral sanctions outside the United Nations framework are not a course of action that Egypt can condone.

Equatorial Guinea

[Original: Spanish]
[25 May 2006]

The Government of the Republic of Equatorial Guinea, faithful to its principles of non-interference in the internal affairs of other States and sovereign equality, aware of the necessity of promoting multilateral cooperation as the means to reconcile the interests of States, not only does not promulgate or apply laws and measures of the kind indicated in the resolution in question, but also maintains deep and fruitful cooperation, whether on a bilateral basis, with the Government of Cuba, or on a trilateral basis, with several agencies of the United Nations system.

European Union

[Original: English]
[14 June 2006]

1. The European Union believes that the United States policy towards Cuba is fundamentally a bilateral issue. Nonetheless, the European Union and its Member States have been clearly expressing their opposition to the extraterritorial extension of the United States embargo, such as that contained in the Cuban Democracy Act of 1992 and the Helms-Burton Act of 1996.

2. It should be underlined that, in November 1996, the Council of Ministers of the European Union adopted a regulation and a joint action to protect the interest of natural or legal persons resident in the European Union against the extraterritorial effects of the Helms-Burton legislation, which prohibits compliance with the legislation. Moreover, on 18 May 1998, at the European Union-United States summit in London, a package was agreed covering waivers to titles III and IV of the Helms-Burton Act; a commitment by the United States administration to resist future extraterritorial legislation of that kind; and an understanding with respect to disciplines for the strengthening of investment protection. The European Union continues to urge the United States to implement its side of the 18 May 1998 Understanding.

Gambia

[Original: English]
[29 June 2006]

1. Gambia has not promulgated or applied any such laws, measures or acts which have extraterritorial effects on the sovereignty of other Member States, the legitimate interests of entities or persons under their jurisdiction and the freedom of trade and navigation.

2. We continue to be opposed to the enactment or application of such laws or measures against Cuba which impede the free and smooth flow of international trade and navigation.

3. As a responsible member of the international community, Gambia therefore joins other Member States in calling for the immediate repeal or invalidation of such laws, measures or policies, as they are contrary to the purposes and principles of the Charter of the United Nations and international law.

Greece

[Original: English]
[19 June 2006]

Greece fully implements resolution 60/12, in the light of the purposes and principles of the Charter of the United Nations and international law, and, thus far, has never promulgated or applied any laws or measures of the kind referred to in resolution 60/12, by which an economic, commercial and financial embargo would be imposed against Cuba.

Grenada

[Original: English]
[20 July 2006]

1. The Government of Grenada recognizes the principle of the sovereign equality of States in the international community.

2. Grenada has, for many years, enjoyed very good relations with the Republic of Cuba. Consequently, the Government of Grenada wishes to reiterate its concern over the economic, commercial and financial embargo imposed by the United States of America against its sister Caribbean nation, and is disturbed over the tendency towards implementing measures aimed at tightening the embargo. Grenada perceives such a situation as non-conducive to human development and believes that it only creates suffering and hardship for the Cuban people.

3. Additionally, Grenada recognizes and adheres to the principles enshrined in the Charter of the United Nations and international law and does not subscribe to any laws that restrict or hinder international trade or navigation by any State, and neither does it condone any unilateral application of economic and trade measures that interfere with the free flow of trade.

4. Grenada, therefore, supports resolution 60/12, which calls for an immediate end to the unilateral embargo against the Republic of Cuba.

Guatemala

[Original: Spanish]
[13 July 2006]

There are no legal or regulatory impediments in Guatemala to the freedom of transit or trade with the Republic of Cuba. Also, it is the policy of the Government of Guatemala to reject any coercive measure that runs counter to the norms of international law.

Guinea

[Original: French]
[13 June 2006]

1. The Government of the Republic of Guinea remains deeply committed to respect for the principles of the Charter of the United Nations, including sovereign equality of States, non-intervention and non-interference in their internal affairs, and the freedom of international trade and navigation.

2. On the basis of this attitude, from which we have never deviated, Guinea has always refrained, and continues to refrain, from promulgating or applying economic and commercial laws or measures that negatively affect the freedom of international trade.

3. Owing to this fundamental position, and in accordance with the requirements of international law, the Guinean Government lends its unflagging support for the lifting of the economic embargo imposed by the United States of America against Cuba.

Guyana

[Original: English]
[12 May 2006]

The Republic of Guyana has not promulgated or applied any laws or regulations the extraterritorial effects of which affect the sovereignty of other States. It is thus fully in observance of resolution 60/12 and is committed to its continuing support of it.

Haiti

[Original: French]
[29 June 2006]

The Republic of Haiti has not promulgated or applied any laws or regulations the extraterritorial effects of which affect the sovereignty of other States. It is thus fully in observance of resolution 60/12 and is committed to abiding by its provisions.

Holy See

[Original: English]
[9 May 2006]

The Holy See has never drawn up or applied economic, commercial or financial laws or measures against Cuba.

India

[Original: English]
[29 June 2006]

1. India has not promulgated or applied any laws of the type referred to in the preamble of resolution 60/12 and, as such, the necessity of repealing or invalidating any such laws or measures does not arise.

2. India has consistently opposed any unilateral measure by countries which impinge on the sovereignty of another country. These include any attempt to extend the application of a country's laws extraterritorially to other sovereign nations.

3. India recalls the final documents adopted by the thirteenth Summit Conference of Heads of State or Government of the Movement of the Non-Aligned Countries held in Kuala Lumpur, in February 2003 on this subject, and urges the international community to adopt all necessary measures to protect the sovereign rights of all countries.

Indonesia

[Original: English]
[19 July 2006]

1. The Government of the Republic of Indonesia, with regard to the implementation of General Assembly resolution 60/12, is of the view that the application of unilateral and extraterritorial economic and trade measures runs counter to the Charter of the United Nations and contravenes international law. The principles of non-intervention in countries' internal affairs and the freedom of international trade and navigation must also be respected and upheld.

2. Moreover, the application of an economic and trade embargo will produce negative effects in the economic and social life of innocent people, especially women and children. These measures also constitute a major impediment to the full enjoyment of the right to development by a sovereign State and its people. They are a violation of human rights, considering that the right to development is a basic human right, of equal importance to civil and political rights and economic, social and cultural rights.

3. This condition is not in line with the spirit of global partnership for development as set out in the Millennium Declaration, the Monterrey Consensus and the Johannesburg Plan of Implementation. In fact, at the 2005 World Summit our leaders strongly reiterated their determination to ensure the timely and full realization of the development goals and objectives, including the Millennium Development Goals to eradicate poverty. Indonesia's position is in keeping with those expressions of global solidarity.

Iran (Islamic Republic of)

[Original: English]
[19 July 2006]

1. As a means of political and economic coercion against developing countries, unilateral economic measures have always contradicted the spirit of the Charter of the United Nations of promoting solidarity, cooperation and friendly relations among countries and nations.

2. In our endeavours to create an enabling environment for economic growth and sustainable development, such measures contravene all laws, principles and norms governing international relations in the field of international trade, which aims at beneficial integration of developing countries in the multilateral trading system through the expansion of commercial and economic interactions among all countries.

3. The use of unilateral measures as a means of political and economic coercion against developing countries has been condemned by decisions and resolutions of various bodies of the United Nations, particularly the General Assembly, which has adopted 14 consecutive resolutions up to 2005. The international community should become more vocal about the necessity of repealing them and take serious measures to prevent similar actions.

4. The adoption and application of unilateral coercive measures and the resort to embargoes impedes the full achievement of economic and social development by the population of the affected countries, in particular children and women, hinders their

well-being and creates obstacles to sustainable development and the full enjoyment of their human rights, as envisaged in international and regional human rights instruments, including the right of everyone to a standard of living adequate for their health and well-being and their right to food, medical care and the necessary social services. Thus the blockade against Cuba is an obvious example of violation of international law and human rights, which must be ended unconditionally and expeditiously.

5. It is now an established fact that unilateral economic coercive measurers jeopardize the legitimate economic interests of the targeted developing countries. The United Nations system and other relevant international and multilateral organizations should consolidate their endeavours towards the creation and strengthening of a conducive international economic environment capable of providing equal opportunities for all countries to benefit from international economic, financial and trade systems. They should also consider necessary ways and means for compensating the material and intellectual losses of targeted countries by those who resort to such unilateral measures.

6. The ministerial meeting of the Coordination Bureau of the Non-Aligned Movement held recently (27-30 May 2006) in Putrajaya, Malaysia, reiterated its position on the issue. The ministers again called upon the Government of the United States of America to put an end to the economic, commercial and financial embargo against Cuba, which, in addition to being unilateral and contrary to the Charter of the United Nations and international law, and to the principle of neighbourliness, is causing huge material losses and economic damage to the people of Cuba. They once again urged strict compliance with General Assembly resolutions 47/19, 48/16, 49/9, 50/10, 51/17, 52/10, 53/4, 54/21, 55/20, 56/9, 57/11, 58/7, 59/11 and 60/12.

7. They expressed deep concern over the widening of the extraterritorial nature of the embargo against Cuba and rejected the reinforcement of the measures adopted by the United States Government, aimed at tightening the embargo. They also urged the Government of the United States to return the territory now occupied by the Guantánamo Naval Base to Cuban sovereignty, and to put an end to aggressive radio and television transmission against Cuba. They reiterated that those measures constitute a violation of Cuba's sovereignty and a massive violation of the human rights of its people.

Jamaica

[Original: English]
[23 June 2006]

1. The Government of Jamaica has not promulgated any law, legislation or measure or taken any other action that would infringe on the sovereignty of a State or its lawful national interests or obstruct the freedom of commercial activity, trade and economic cooperation, in keeping with obligations under the Charter of the United Nations.

2. Jamaica continues to oppose the extraterritorial application and effects of national legislation on the sovereignty of States as being contrary to the principles of international law, the sovereign equality of States, non-interference in the internal affairs of States and peaceful coexistence.

3. Jamaica reiterates its support for the General Assembly resolutions calling for an end to the economic, commercial and financial embargo against Cuba. Jamaica affirms the positions of the Group of 77 and the Movement of the Non-Aligned Countries in opposing and condemning such unilateral action, which is in violation of the sovereignty and rights of the Cuban people and is in contravention of the Charter of the United Nations.

4. Jamaica maintains the position that constructive engagement and peaceful negotiations remain the most acceptable means for advancing peace and stability.

Japan

[Original: English]
[28 June 2006]

1. The Government of Japan has not promulgated or applied laws or measures of the kind that are referred to in paragraph 2 of resolution 60/12.

2. The Government of Japan believes that the economic policy of the United States towards Cuba should be considered primarily as a bilateral issue. However, Japan shares the concern, arising from the Cuban Liberty and Democratic Solidarity Act of 1996 (known as the Helms-Burton Act) and the Cuban Democracy Act of 1992, that application of such legislation causes undue hardship.

3. The Government of Japan has been closely following the situation in relation to the above-mentioned legislation and the surrounding circumstances, and its concern remains unchanged. Having considered the matter with the utmost care, Japan voted in favour of resolution 60/12.

Kazakhstan

[Original: Russian]
[11 May 2006]

The Permanent Mission of the Republic of Kazakhstan to the United Nations presents its compliments to the Secretariat of the United Nations and, in response to the Secretariat letter AED/CUBA/1/2006 of 5 May 2006, has the honour to request that the following information should be included in the Secretary-General's report on the implementation of General Assembly resolution 60/12, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba", which will be submitted to the General Assembly at its sixty-first session:

> "The Republic of Kazakhstan has not promulgated or applied any laws the extraterritorial application of which would affect the sovereignty of other States."

Kenya

[Original: English]
[18 July 2006]

The Government of Kenya reaffirms its objection to unilateral coercive measures at variance with the Charter of the United Nations and international law. The Government of Kenya has never promulgated any law or measure that would restrict the freedom of international trade and navigation.

Lao People's Democratic Republic

[Original: English]
[16 May 2006]

It is unfortunate that the embargo imposed by the United States of America over the past years against Cuba, an independent and sovereign country, continues to be in effect. Such an embargo, with its extraterritorial implications, has not only hindered the progress of Cuba in its socio-economic development and caused untold suffering to its people, but has also violated the principles of international law and those of the sovereign equality of States, as well as of freedom of international trade and navigation. As far as the Lao People's Democratic Republic is concerned, in adhering to and complying with all principles and purposes enshrined in the Charter of the United Nations and international laws, it has neither promulgated nor introduced any laws or measures of the kind referred to in paragraphs 2, 3 and 4 of resolution 60/12.

Lebanon

[Original: English]
[9 June 2006]

1. The Government of Lebanon concurs with General Assembly resolution 60/12.

2. Lebanon is committed to the stipulation of said resolution, in accordance with the principles of the United Nations and international law, which calls for the respect of the sovereignty of all States.

Lesotho

[Original: English]
[15 June 2006]

Lesotho does not have any laws or measures that impose any form of economic, commercial and financial embargo against Cuba. This position has been maintained by the Government of Lesotho for years and will continue to be so for the future, as it is consistent with Lesotho's obligations under the Charter of the United Nations and international law, which, among others, reaffirm the freedom of trade and navigation.

Libyan Arab Jamahiriya

[Original: Arabic]
[1 June 2006]

1. The Libyan Arab Jamahiriya wishes to reaffirm its strong opposition to the unilateral measures imposed on States for political purposes and to stress that such methods do not solve the difference between States, but rather complicate them.

2. The Libyan Arab Jamahiriya has always complied with the Charter of the United Nations and the principles of international law and has not enacted or implemented any laws of the kind referred to in paragraphs 2 and 3 of General Assembly resolution 60/12, but rather has been a victim in the past of such coercive measures.

3. The Libyan Arab Jamahiriya would like to express its great concern regarding the continued application by some States of unilateral, coercive extraterritorial economic sanctions because they violate the principles of international law.

4. The Libyan Arab Jamahiriya voted in favour of General Assembly resolution 60/12 and reiterates its opposition to the economic, commercial and financial embargo imposed on Cuba. It calls on States to resolve their differences by peaceful means and to eschew unilateral coercive measures that violate the Charter of the United Nations and human rights and constitute an impediment to development efforts, which are one of the lofty goals of the United Nations.

Liechtenstein

[Original: English]
[2 June 2006]

The Government of the Principality of Liechtenstein has not promulgated or applied any laws or measures of the kind referred to in the preamble to resolution 60/12. The Government of the Principality of Liechtenstein is furthermore of the view that legislation whose implementation entails measures or regulations having extraterritorial effects is inconsistent with generally recognized principles of international law.

Madagascar

[Original: French]
[13 July 2006]

Madagascar has always been in favour of the lifting of the economic, trade and financial embargo against Cuba and remains in solidarity with the other States Members of the United Nations in accordance with the principles of the Charter of the United Nations and with international law on this question.

Malawi

[Original: English]
[21 July 2006]

Malawi does not have any sanctions or embargo in place against Cuba. Furthermore, the Malawi Government has excellent relations with the Government of Cuba and has been cooperating very well through a Joint Permanent Commission of Cooperation.

Malaysia

[Original: English]
[19 July 2006]

1. Malaysia stands against the unilateral imposition of economic, commercial and financial embargoes. This position is consistent with the provisions of international law and the purposes and principles enshrined in the Charter of the United Nations. Further, this position has been endorsed by many organizations and forums, including the Movement of the Non-Aligned Countries, of which Malaysia is the Chairman.

2. In this regard, paragraph 15.4 of the final document of the ministerial meeting of the Non-Aligned Movement Coordinating Bureau held in Putrajaya, Malaysia, from 27-30 May 2006 stated that the Movement resolves to:

- Refrain from recognizing, adopting or implementing extraterritorial or unilateral coercive measures or laws, including unilateral economic sanctions, other intimidating measures and arbitrary travel restrictions, which seek to exert pressure on non-aligned countries — threatening their sovereignty and independence, and their freedom of trade and investment — and preventing them from exercising their right to decide, by their own free will, their own political, economic and social systems, where they constitute flagrant violations of the Charter of the United Nations, international law, the multilateral trading system, as well as the norms and principles governing friendly relations among States; and, in this regard, oppose and condemn these measures or laws and their continued application, persevere with efforts to effectively reverse them and urge other States to do likewise, as called for by the General Assembly and other United Nations organs; and request States applying these measures or laws to revoke them fully and immediately;

- In this regard, Malaysia believes that the imposition of unilateral embargoes is particularly harmful as they result in the collective suffering of the people of the country upon which the embargo is imposed. These acts should therefore be revoked.

3. Malaysia continues to believe in the importance of maintaining friendly relations among nations as the primary means of promoting a peaceful and prosperous international system.

Maldives

[Original: English]
[19 July 2006]

The Maldives has not enacted any laws or regulations that contravene the provisions of United Nations resolution 60/12.

Mali

[Original: French]
[13 June 2006]

1. The Government of the Republic of Mali fully supported resolution 60/12.

2. The Government of the Republic of Mali has not promulgated or applied any law or regulation, the extraterritorial effects of which infringe the sovereignty of other States. It therefore fully supports the provisions of that resolution.

Mexico

[Original: Spanish]
[8 June 2006]

1. Mexico once again reaffirms its rejection of the application of unilateral laws or measures imposing economic blockade against any nation and of the use of coercive measures without the authority embodied in the Charter of the United Nations. Along with their serious humanitarian consequences, such measures are contrary to international law and symbolize a gradual abandonment of diplomacy and dialogue as the means of settling disputes among States.

2. Mexico reiterates that any political, economic and military sanctions imposed on States can stem only from the decisions or recommendations of the Security Council or the General Assembly.

3. The Government of Mexico bases its external relations — both bilateral and multilateral — on the general principles of law which govern peaceful and civilized coexistence among States. In the case of Cuba, these principles have been solid and continuous over time and have been strongly reconfirmed since 1992, when the Government of the Republic of Cuba brought up for consideration by the General Assembly the need to adopt a resolution rejecting and ending the economic, commercial and financial embargo imposed by the Government of the United States of America. Since then, for 14 consecutive years Mexico has voted in favour of resolutions adopted by the General Assembly on the issue.

4. In this connection, the Government of Mexico has firmly opposed the imposition of unilateral laws that jeopardize progress towards greater cooperation, integration and free trade. Thus, through various mechanisms, it has made known to the international community its position against efforts to impose any national laws with territorial effect on third countries in violation of international law. On 23 October 1996, the Act on Protection of Trade and Investment against Foreign Norms entered into force in Mexico. Its purpose is to prohibit the carrying out of acts that affect trade or investments when said acts are the consequence of the extraterritorial effects of foreign statutes.

5. Mexico has consistently demonstrated its policy of defending international values of cooperation, dialogue, respect and consensus as the best means of overcoming differences between States in order to guarantee a climate of international peace.

Mozambique

[Original: English]
[3 May 2006]

The Republic of Mozambique has never promulgated, applied or contributed to the application of any of the laws or regulations mentioned in resolution 60/12. It was in this context that the Republic of Mozambique voted in favour of the aforementioned resolution and reiterates its unconditional support for its provisions, appealing to the United Nations to ensure that all Member States take the resolution into consideration.

Myanmar

[Original: English]
[13 June 2006]

1. The Government of the Union of Myanmar continues to maintain its consistent policy of strict adherence to the purposes and principles enshrined in the Charter of the United Nations. Myanmar is also one of the co-initiators of the Five Principles of Peaceful Coexistence and, as such, has scrupulous respect for the principles of sovereign equality of States, non-intervention and non-interference in internal affairs and freedom of trade and international navigation.

2. The Union of Myanmar is of the view that the promulgation and application by Member States of laws and regulations the extraterritorial effects of which affect the sovereignty of other States, the legitimate interest of entities or persons under their jurisdiction and the freedom of trade and navigation violate both the spirit and letter of the Charter of the United Nations and the universally adopted principles of international law.

3. The imposition of an economic, commercial and financial embargo against Cuba has adversely affected the Cuban people, in particular vulnerable groups such as children, women and elderly persons. These measures will in no way promote peace and stability in the region.

4. Having such a view, the Union of Myanmar has not promulgated any laws or regulations of the kind that are against freedom of trade and international navigation. In expressing its continued support for resolution 60/12, Myanmar joins the international community in calling for an end to the economic, commercial and financial embargo imposed on Cuba.

Namibia

[Original: English]
[15 June 2006]

Namibia reaffirms the principle of sovereign equality of States, non-intervention and non-interference in their internal affairs and the freedom of international trade and navigation, and does not promulgate or apply any laws or

measures constituting an economic, commercial and financial embargo against Cuba. Namibia remains committed to the necessity of an immediate end to all sanctions imposed by the United States of America against Cuba.

Nauru

[Original: English]
[18 July 2006]

The Republic of Nauru voted in full conformity with resolution 60/12. Furthermore, Nauru has not promulgated or applied laws or measures that stand in opposition to resolution 60/12.

Nigeria

[Original: English]
[30 June 2006]

Nigeria continues to support and fully comply with resolution 60/12 on Cuba. As a matter of policy, Nigeria promotes friendly relations between States and does not favour unilateral measures to settle political differences.

Norway

[Original: English]
[17 July 2006]

Norway has not enacted any economic embargo against Cuba or adopted any measures contradictory to resolution 60/12.

Pakistan

[Original: English]
[29 June 2006]

Pakistan is fully in observance of resolution 60/12.

Panama

[Original: Spanish]
[30 May 2006]

The Republic of Panama has not taken legislative or other measures intended to apply sanctions against Cuba or to impede the free flow of trade and navigation. The Government of Panama is opposed to the unilateral application of domestic laws and measures which have extraterritorial effects on the trade and international relations of other States because they are contrary to international law and the principle of the legal equality of States. Furthermore, it considers that the use of economic measures as an instrument of pressure is inconsistent with the principles of the Charter of the United Nations and with international law.

Paraguay

[Original: Spanish]
[6 June 2006]

In accordance with the principles enshrined in the national Constitution, the Charter of the United Nations and the general principles of international law, the Government of the Republic of Paraguay considers that the extraterritorial application of domestic laws violates not only the sovereignty of other States, the legal equality of States and the principle of non-intervention in internal affairs but also adversely affects international free trade and navigation.

Peru

[Original: Spanish]
[5 July 2006]

1. The Government of Peru does not agree with unilateral and extraterritorial measures which seek to affect the internal political process of any State. Peru considers that, in accordance with the principles of international law concerning non-intervention and non-interference in the internal affairs of States, due respect for the domestic constitutional regime is essential in international relations.

2. The Government of Peru is guided in this matter by the position taken by the Permanent Mechanism for Consultation and Concerted Political Action (the Rio Group) and the statements issued at the Ibero-American Summits held in recent years.

3. Lastly, the Government of Peru wishes to reaffirm its strong and unswerving commitment to the common objectives in the area of representative democracy, respect for human rights and economic freedom.

Philippines

[Original: English]
[26 June 2006]

There have been no laws, regulations or measures established by the Philippine Government that are contradictory to the implementation of resolution 60/12. The Philippines continues to engage Cuba constructively in both bilateral and multilateral spheres.

Qatar

[Original: Arabic]
[8 June 2006]

1. The State of Qatar has not enacted any extraterritorial laws or regulation which affects the sovereignty of other States, the legitimate interests of entities or persons under their jurisdiction or freedom of trade or international navigation, nor has it adopted any other measures contrary to General Assembly resolution 60/12.

2. The Government of the State of Qatar pursues a policy of strict compliance with the purposes and principles of the Charter of the United Nations, especially the principles of the sovereign equality of States and non-interference in their internal affairs. The Government of the State of Qatar rejects the use of economic measures

as a means to achieve political objectives and it adheres in its relations with other countries to the basic principles of the Charter of the United Nations and the norms of international law.

Romania

[Original: English]
[7 June 2006]

Romania has not imposed an economic, commercial and financial embargo against Cuba since the adoption of General Assembly resolution 60/12.

Russian Federation

[Original: Russian]
[21 June 2006]

1. Since 1994, at sessions of the United Nations General Assembly, the Russian Federation has supported the resolution entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba" and has consistently adhered to the position that the application of unilateral extraterritorial measures in international relations is unacceptable. In today's world any steps of this nature are counterproductive.

2. We believe that ending the embargo and normalizing United States-Cuban relations would promote an improvement in the situation of Cuba and foster its further involvement in international and regional processes. The Russian Federation, like the overwhelming majority of States Members of the United Nations, firmly rejects the blockade and favours its speedy repeal.

3. Continuation of an economic, commercial and financial blockade against Cuba by the United States runs counter to the spirit of the times and is a remnant of the cold war, that creates an impediment to the establishment of a new, just world order based on the principles of the Charter of the United Nations and international law.

4. The latest strengthening of the sanctions against Cuba indicates that, unfortunately, Washington is not only not changing its tactics, but is committed to applying those tactics in the harshest possible way.

5. We believe that it is necessary to consider the inclusion in the agenda of the sixty-first session of the General Assembly of the question of ending the economic and commercial blockade against Cuba.

Saint Kitts and Nevis

[Original: English]
[26 June 2006]

Saint Kitts and Nevis does not have an economic, commercial and financial embargo imposed against Cuba, and is opposed to the idea of any unilateral embargo against Cuba.

Saint Lucia

[Original: English]
[20 June 2006]

1. The Government of Saint Lucia maintains normal relations and joint cooperation programmes with the Government of the Republic of Cuba. Saint Lucia has consistently voted in favour of General Assembly resolution 60/12.

2. Saint Lucia has not adopted any laws or other measures in favour of the extraterritorial application of domestic laws of one State to another State.

Saint Vincent and the Grenadines

[Original: English]
[21 June 2006]

The Government of Saint Vincent and the Grenadines has no laws that in any way restrict the freedom of trade and navigation with Cuba. Saint Vincent and the Grenadines has consistently voted in favour of the General Assembly resolutions on this question.

San Marino

[Original: English]
[10 July 2006]

The Republic of San Marino has always and generally been against the imposition of any embargo and, therefore, it is against the imposition of the unilateral embargo against Cuba, as a means of pressure and because of the serious repercussions on the populations.

Sao Tome and Principe

[Original: English]
[24 May 2006]

1. The Government of Sao Tome and Principe has not adopted any law that supports the economic, commercial and financial embargo against Cuba.

2. The principle and provisions of the Charter of the United Nations are observed in order to promote the freedom of trade and navigation.

Senegal

[Original: English]
[21 June 2006]

The Government of Senegal has not promulgated and/or applied laws and/or measures of the kind referred to in the preamble to resolution 60/12.

Seychelles

[Original: English]
[24 May 2006]

1. The Government of the Republic of Seychelles fully endorses the content of resolution 60/12, adopted by the General Assembly on 8 November 2005; and subsequently does not have, nor applies, any laws or measures that may in any manner or form constitute or contribute to an imposition of economic, commercial or financial embargo against Cuba.

2. Furthermore, the Government of Seychelles is of the view that legislation whose implementation entails measures or regulations having extraterritorial effects is inconsistent with generally recognized principles of international law.

Solomon Islands

[Original: English]
[12 July 2006]

Solomon Islands reaffirms its obligation under the Charter of the United Nations and supports the freedom of trade.

South Africa

[Original: English]
[19 June 2006]

South Africa does not support the embargo imposed by the United States of America against Cuba and has continuously sponsored this resolution in the General Assembly. South Africa works actively towards strengthening the bilateral relationship between the Republic and Cuba, including cooperation in the economic, commercial and financial spheres. To that end, a Joint Bilateral Commission between the two countries was established in December 2001 to oversee the myriad of projects that are in existence. The fourth session of the Joint Bilateral Commission between South Africa and Cuba took place in September 2005 in Havana, and was led by the South African Minister of Foreign Affairs, Dr. Nkosazana Dlamini Zuma. It is expected of South African Government departments that are actively pursuing projects with their Cuban counterparts to report on progress made at every session of the Joint Bilateral Commission. The South African Department of Trade and Industry is responsible for driving the economic and commercial relationship with Cuba and is one of the most important role players in this regard. Furthermore, visits to Cuba by the Minister of Water Affairs and Forestry and the Deputy Minister of Communications have recently taken place to investigate the possibilities of increased cooperation between the two countries.

Sri Lanka

[Original: English]
[31 May 2006]

Sri Lanka has not promulgated any laws or measures referred to in resolution 60/12. Accordingly, the question of repealing such laws does not arise.

Sudan

[Original: English]
[16 June 2006]

1. The Government of the Sudan pursues a policy that respects the principle of the sovereign equality of States and non-interference in the internal affairs of others. Consistent with its principled stand, the Sudan opposes the imposition of unilateral extraterritorial coercive economic measures as a means of political and economic compulsion on developing countries because of their devastating impact on the efforts of those countries to achieve sustainable development and because they constitute a violation of the norms of international law and the Charter of the United Nations. The delegation of the Sudan participates every year in the debate of the General Assembly on the agenda item and votes, alongside the majority of Member States, in favour of General Assembly resolutions prohibiting the imposition of such unilateral measures and sanctions. The Government of the Sudan reaffirms that it does not promulgate or apply any laws or measures that could, by being applied outside its own national borders, affect the sovereignty of any State. The Government of the Sudan calls for the repeal of laws that impose such measures.

2. On the basis of the foregoing, the Sudan opposes the economic and commercial embargo imposed by the United States against Cuba, which has caused great harm to the Cuban people and violated its legitimate rights and interests, is a flagrant violation of international law and the Charter of the United Nations and shows disregard for their lofty and noble principles.

3. The Sudan itself continues to suffer from the renewal of the unilateral economic sanctions imposed on it by the United States since November 1997. It was unfortunate that the United States, in order to exert pressure on the Government of the Sudan, imposed these sanctions on the basis of ungrounded suspicions and accusations, which have remained unsubstantiated for many years. Such unilateral sanctions are in violation of the legitimate right of the Sudan and Cuba and all developing countries and their people to choose their own political, economic and social system that fully respond to their aspirations.

4. Since the adoption of the General Assembly resolution, the Government of the Sudan has put the issue at the forefront of the multilateral system to mobilize support for the elimination of all forms of unilateral coercive economic measures against developing countries.

Swaziland

[Original: English]
[21 July 2006]

1. The Kingdom of Swaziland continues to support efforts aimed at ending the blockade against Cuba and is encouraged by the fact that the General Assembly has passed 13 resolutions since 1992 in favour of lifting the blockade against Cuba, the most recent being resolution 60/12.

2. It is our hope that the will of the General Assembly will be respected and that the blockade will be lifted, and that Cuba will once again enjoy all the freedoms, rights and privileges enjoyed by all sovereign nation States in the international community without any hindrance.

3. The Kingdom of Swaziland views the continued imposition of an economic, commercial and financial embargo against the Republic of Cuba as a violation of the principle of the sovereign equality of States and of non-intervention and non-interference in each other's domestic affairs. In addition to being unilateral and contrary to the Charter of the United Nations, international law and the principle of neighbourliness, the embargo has caused huge material losses and economic damage to the people of Cuba.

4. In line with previous United Nations resolutions on this item, the Kingdom of Swaziland believes that constructive dialogue is necessary to foster mutual trust and understanding, as well as harmony and peaceful coexistence among the nations of the world.

5. The Kingdom of Swaziland will continue to support any draft resolution to be considered by the General Assembly under this agenda item.

Syrian Arab Republic

[Original: English]
[23 May 2006]

1. Proceeding from its position of principle with respect to the economic, commercial and financial embargo imposed by the United States of America against Cuba, the Syrian Arab Republic voted in favour of General Assembly resolution 60/12, which emphasizes the need for compliance with the purposes and principles of the Charter of the United Nations and reaffirms the principles of the sovereign equality of States, non-intervention in their internal affairs and freedom of international trade and navigation. In the resolution, the General Assembly also calls upon States to take the necessary measures to put an end as soon as possible to the economic, commercial and financial embargo imposed against Cuba for more than three decades. In this regard, the Syrian Arab Republic recalls the Final Document of the Heads of State and Government at the Summit of the Movement of Non-Aligned Countries, held in Kuala Lumpur, on 24 and 25 February 2003, in which the Heads of State and Government called upon the United States to put an end to the embargo against Cuba, which, in addition to being unilateral and contrary to the Charter of the United Nations, international law and the principle of neighbourliness, is causing huge material losses and economic damage to the people of Cuba.

2. The Heads of State and Government once again urged strict compliance with the relevant resolutions of the General Assembly, including resolution 60/12, and expressed deep concern over the widening of the extraterritorial nature of the embargo against Cuba and over continuous new legislative measures geared to intensifying it.

3. We also refer to the Declaration adopted by the South Summit of the Group of 77 and China, held in Doha, in which the participants categorically rejected laws and regulations with extraterritorial impact and all other forms of coercive economic measures, and expressed grave concern over the impact of economic sanctions on the development capacity of the countries targeted. The Summit also adopted a special appeal by all leaders of the developing countries for the immediate lifting of this embargo, given that it is causing the Cuban people enormous material losses and inflicting huge economic damage, in addition to being a unilateral measure and

in contravention of the Charter of the United Nations, international law and the principle of good-neighbourliness.

4. The international community has frequently stated that it rejects the maintenance of the sanctions unilaterally imposed on Cuba and the so-called Helms-Burton Act, which exceeds the jurisdiction of national legislation and encroaches on the sovereignty of other States that deal with Cuba. This is incompatible with the principle of the sovereign equality of States. Experience has shown that, for the most part, sanctions regimes have caused enormous material damage and major economic losses for the civilian inhabitants of the countries targeted.

5. Accordingly, the Syrian Arab Republic calls for an end to the economic, commercial and financial embargo imposed by the United States of America against Cuba. This would help to create a positive climate in international relations and enhance the role of international legitimacy in safeguarding the principle of the sovereign equality of States.

Thailand

[Original: English]
[7 July 2006]

1. In principle, Thailand does not support the imposition by one country of its national law on another country that, in effect, compels a third country to comply. In Thailand's view, such an act would be contrary to the basic principles of international law and the Charter of the United Nations.

2. Thailand has maintained no legal provisions or domestic measures of such nature.

Togo

[Original: French]
[6 July 2006]

With respect to resolution 60/12, Togo remains committed to its obligations under the Charter of the United Nations and international law which, inter alia, provide for freedom of trade and navigation. In that connection, Togo has no objection to the lifting of the embargo.

Trinidad and Tobago

[Original: English]
[26 May 2006]

The Government of the Republic of Trinidad and Tobago has not promulgated or applied any laws or measures in respect of Cuba contemplated in the preamble to resolution 60/12.

Tunisia

[Original: French]
[21 July 2006]

Tunisia does not apply any unilateral laws or measures with extraterritorial effects.

Turkey

[Original: English]
[5 June 2006]

The Republic of Turkey does not have any laws or measures of the kind referred to in the preamble of General Assembly resolution 60/12 and reaffirms its adherence to the principles of trade and navigation, in conformity with the Charter of the United Nations and international law. The Government of Turkey maintains its stance that differences and problems between States should be settled through dialogue and negotiations.

Turkmenistan

[Original: Russian]
[13 July 2006]

1. Like the overwhelming majority of States Members of the United Nations, Turkmenistan, in accordance with the letter and spirit of the Charter of the United Nations, the fundamental principles of international law and freedom of trade and navigation, has for many years consistently called for the lifting of the economic, commercial and financial embargo of Cuba.

2. Turkmenistan considers that economic, commercial and financial sanctions impact first and foremost on the populations of those countries against which they are imposed, negatively affecting their social and economic development and daily lives. The unilateral use of such sanctions is not a legitimate instrument of international relations.

3. Turkmenistan's domestic legislation, international treaties and agreements contain no provisions that are at variance with the provisions of General Assembly resolution 60/12 on the embargo against Cuba. In its international activities, Turkmenistan does not carry out — and has not carried out — any actions that violate the provisions of the relevant General Assembly resolution.

Uganda

[Original: English]
[31 May 2006]

Uganda has normal trading relations with the Republic of Cuba and does not honour the embargo.

Ukraine

[Original: English]
[12 June 2006]

1. The Government of Ukraine does not have any legislation or regulations whose extraterritorial effects could affect the sovereignty of other States and the legitimate interests of entities or persons under their jurisdiction, or the freedom of trade and international navigation.

2. Equally, the Government of Ukraine does not accept the use of economic measures as a means of achieving political aims and upholds, in its relations with other countries, the fundamental principles of the Charter of the United Nations, the norms of international law and the freedom of trade and navigation.

United Republic of Tanzania

[Original: English]
[30 June 2006]

1. The Government of the United Republic of Tanzania voted in favour of resolution 60/12 and has applied its provisions. The Government of the United Republic of Tanzania has never promulgated any law or measure that would restrict free commerce with the Republic of Cuba.

2. The Government of the United Republic of Tanzania is concerned about the damaging effects of the economic, commercial and financial embargo imposed on the Republic of Cuba by the United States. The concern is on the damaging effects of the embargo on the Cuban population, particularly the most vulnerable, children and the elderly. The Government of the United Republic of Tanzania will continue to support the call for lifting the embargo imposed on the Republic of Cuba.

3. The Government of the United Republic of Tanzania reaffirms its strong support for the principles of freedom of international trade and navigation. Tanzania has systematically appealed for the elimination of unilateral measures of an economic and commercial character that affect the free development of international trade and navigation.

Uruguay

[Original: Spanish]
[9 June 2006]

The Government of the Eastern Republic of Uruguay does not recognize in its legislation the extraterritorial application of laws of other States. It also holds the view that, in addition to violating generally accepted principles of international law, that practice is a form of pressure that impedes, rather than promotes, dialogue. For those reasons, the Government of Uruguay has not promulgated nor applied any laws, decrees or measures of the kind referred to in resolution 60/12.

Venezuela (Bolivarian Republic of)

[Original: Spanish]
[8 June 2006]

1. We wish to express, once again, our firm and repeated rejection of the promulgation and application of laws and regulations with extraterritorial effects in disregard of the sovereignty of other States. In this connection, we reject the economic embargo imposed against the Republic of Cuba by the United States of America as it is a coercive, inhumane and unilateral act that violates the international legal regime governing economic and commercial exchanges between nations.

2. We reject the application of the Torricelli and Helms-Burton Acts. In our view, such measures undermine efforts to establish economic and trade relations among nations that would promote the growth of developing economies.

3. The Bolivarian Republic of Venezuela has a republican tradition of autonomy and self-determination. Such principles do not apply only to our country; indeed, they place on us a duty of solidarity, especially with the fraternal people of Cuba. That is why the Government and people of Venezuela reject the promulgation and application of any types of laws with extraterritorial effects in disregard of the sovereignty of other States.

4. The Bolivarian Republic of Venezuela has been endorsing the vote in favour of the draft resolutions adopted by the General Assembly since 1991 condemning the embargo imposed by the United States of America against Cuba.

5. The agreements and relationships between our country and Cuba, together with the unadulterated, altruistic expressions of support and solidarity, testify to the concern for humankind and independence that our peoples boast. By expressing once again our support for the people and Government of Cuba, we salute their courage and dignity.

Viet Nam

[Original: English]
[13 June 2006]

1. The General Assembly has adopted with absolute majority a number of resolutions requesting the Government of the United Status to end its economic, commercial and financial embargo against Cuba, the most recent being resolution 60/12, with 182 votes in favour. This shows that the international community is very concerned about and strongly opposes the continuous application by the United States of irrational extraterritoriality bills and measures against sovereign and peace-loving countries such as Cuba.

2. The United States has imposed economic, commercial and financial sanctions against Cuba for the past 40 years, making it the longest embargo in history. The United States embargo against Cuba runs counter to the fundamental principles of international law, the Charter of the United Nations and other fundamental principles of the veto. Viet Nam holds that such an embargo will only cause further tension in the bilateral relations and create obstacles for and losses to the people of Cuba, especially women and children.

3. Viet Nam believes that conflicts between the United States and Cuba should be settled through dialogue and negotiation on the basis of mutual respect and respect for each other's sovereignty and non-interference in each other's internal affairs. As such, Viet Nam welcomes every effort towards the common goal. Viet Nam supports the related resolutions of the General Assembly and hopes that the United Nations will soon work out specific and useful measures and initiatives to implement the adopted resolutions in order to end the embargo against Cuba.

4. Once again, Viet Nam affirms its friendship, cooperation and solidarity with the Cuban people. Viet Nam and other lovers of peace, freedom and justice will do our best to help Cuba overcome the effects of the embargo.

Zambia

[Original: English]
[12 June 2006]

The Government of the Republic of Zambia reaffirms its support for the lifting of the economic, commercial and financial embargo and continues to oppose the Helms-Burton legislation, which violates the sovereignty of Cuba. The legislation's extraterritorial effect is also not in line with the principles of the Charter of the United Nations and goes against the tenets of international law.

Zimbabwe

[Original: English]
[30 June 2006]

1. The Government of the Republic of Zimbabwe strongly rejects the unilateral imposition of laws and regulations imposed against Cuba, in complete violation of the lofty and sacred basic principles enshrined in the Charter of the United Nations and other instruments of international law, as well as the rules governing economic, commercial and financial relations between States.

2. Zimbabwe remains firmly opposed to the unilateral and extraterritorial character of the economic embargo imposed against Cuba, as epitomized by the Helms-Burton Act of 1996. The latter, which was intended to, inter alia, restrict the access of Cuba to markets, capital and technology and investment, in order to exert pressure to change its political and economic systems, represents a flagrant violation of international law, the Charter of the United Nations, the World Trade Organization and numerous General Assembly resolutions. The bilateral differences and problems that exist among countries should be resolved through peaceful dialogue and negotiation on the basis of equality and respect for sovereignty. The legislation of the Republic of Zimbabwe includes no laws, decisions or measures the extraterritorial effects of which affect the sovereignty of other States, the legitimate interests of persons and entities under their jurisdiction or the freedom of trade.

III. Replies received from organs and agencies of the United Nations system

Office of the Resident Coordinator of the United Nations system of operational activities for development

[Original: English]
[21 July 2006]

1. This report lists the more pronounced negative effects that should be taken into consideration in the report of the Secretary-General on General Assembly resolution 60/12.

2. The United Nations country team has been preparing reports on the effects of the embargo imposed by the United States of America. During this time, it has not been possible to show any substantial progress in this area. On the contrary, on 30 June 2004, additional measures announced by the Government of the United States entered into force to strengthen the blockade. Hence, the measures introduced

with the embargo have been maintained, resulting in a continuing negative impact on Cuba during the past 12 months.

3. The impact of the embargo can be observed in all spheres of the country's social and economic activities. The situation fundamentally affects the Cuban population, in particular, the most vulnerable groups.

4. The negative impact of the embargo was amplified in recent years owing to the recurrence of severe meteorological events, such as hurricanes and a persistent drought. The year 2005 marked the second most intense hurricane season in the Atlantic area since 1933. During this period, five tropical hurricanes struck Cuban territory either directly or indirectly — Arlene (June), Dennis (July), Katrina (August), Rita (September) and Wilma (October). In addition, Cuba has been afflicted by a persistent drought, affecting in particular the eastern provinces. In spite of Cuba's preparedness, early warning system and response capacity to adverse natural events, the increased strength and recurrence of these events leads to accumulative damages and makes the recovery and rehabilitation efforts more difficult.

5. According to Cuban authorities, the accumulated direct and indirect damages to the Cuban economy brought about by the embargo since the early 1960s amount to $86,108 million. The breakdown of major items in the damage estimate is as follows: non-accrued income from exports of goods and services, monetary and financial effects, technological barriers, instigation to migrate and brain drain, and effects on production and on services for the population.

6. This situation also has negative consequences for external cooperation initiatives. As an example, the embargo generates many difficulties for programme and project implementation, because of restrictions for purchasing inputs from United States companies and an increase in cost. It is also difficult to establish partnerships and collaboration with United States non-governmental organizations and to promote exchanges among experts from both countries. The United States Government policy has also influenced decisions by third countries, which fear reprisals for doing business with Cuba.

Effects on Cuban commercial relations

7. The embargo has negative implications for Cuba's balance of trade and foreign exchange earnings and for the country's volume of production. Considering Cuba's geographical location, the United States market represents its closest, most convenient and most diversified trade area. Under normal circumstances, Cuba and the United States would be natural business partners, obtaining mutual benefits from trade. However, Cuban national companies still may not purchase products, components or technologies in United States territory or from United States companies and are forced to purchase and import from distant markets at a much higher cost. The import of goods and services via circuitous routes and distant countries increases freight transport and fuel costs. Similarly, Cuban exports have to be placed in distant markets since these may not be sold in the United States.

8. Because of the embargo Cuba does not have access to the development credits granted by international financial institutions. The scarcity and high cost of capital due to the perception of high risk and uncertainty also limits the possibilities to support Cuba's national and/or local development plans. Additionally, Cuba may not

use the United States dollar in commercial transactions, which implies large losses due to variations in exchange rates.

9. The added negative measures adopted by the Government of the United States in May 2004 included, among others, the restriction of currency remittances to beneficiaries in Cuba, the ban on shipments of clothes and hygiene articles to relatives in the island and the restriction of visits by close family members to once every three years. These additional restrictions imply an additional negative direct impact on family members.

Food and agriculture

10. The Food and Agriculture Organization of the United Nations (FAO) notes that the negative agricultural trade balance increased from $23.1 million in 1999 to $306.7 million in 2004. For the second consecutive year, Cuba's cereal production fell by about 5 per cent in 2005. National milk production does not cover Cuba's growing domestic demand of dairy products. Oil crop production in Cuba is not significant. As a result, the country almost depends entirely on imports to supply its vegetable oil and other products. The import of food products for human consumption is affected by the embargo, as restrictions limit their quantity and quality, thus having a direct effect on the food security of the most vulnerable segments of the population. As mentioned by the United Nations Children's Fund (UNICEF), the embargo affects the import of nutritional products, not only for the direct consumption of the families, but also for social consumption in schools, hospitals and day-care centres, and directly affects the nutritional level of children, adolescents and families, and consequently their health.

11. As mentioned by the World Food Programme (WFP), the United States embargo also has a direct impact on the capacity and efficiency of Cuba's infrastructure, food processing, water distribution and agricultural production.

12. FAO reports that restrictions imply the increase in costs for inputs needed for agricultural, fisheries and livestock production, which in some cases are produced by United States firms. This directly increases the production costs, resulting in a decreased profitability and a lower capacity to satisfy the local demand. In general, if equipment was to be purchased from the United States, costs would decrease by at least 20 per cent.

13. Another main effect of the embargo on agriculture, fisheries, forestry and the food industry deals with the problems brought about by the impossibility of taking full advantage of the export potential (i.e. coffee, honey, tobacco, live lobster and aquaculture products) to the nearest market (the United States). Access to nearby markets is limited, especially those with high purchasing power, and Cuba is therefore obliged to export to more distant markets, resulting in higher marketing and distribution costs.

14. More recently, since the end of 2001 and in contrast with the tightening of the embargo, the United States Government has authorized the sale of food and medicines to Cuba. This measure was justified by the impact of natural disasters on the population; however, the sale of United States food items to Cuba was authorized on condition that payment be made in cash and in advance. Additionally, no Cuban-registered ship could transport those goods from United States ports to Cuba.

15. In general, FAO cooperation projects were negatively affected by the increase in the cost of spare parts for agricultural and transport equipment and of inputs and products that must be imported, such as high-quality seeds. There was also restricted access to animal vaccines and laboratory products. Some of the foods that WFP distributes are produced locally. In 2005, this production was delayed or interrupted owing to delays in the arrival of raw materials, production equipment and spare parts.

Health, education and other social programmes

16. WHO/Pan American Health Organization, the United Nations Population Fund, UNICEF and the United Nations Development Programme reiterated the impossibility of purchasing equipment, medicines, vaccines, antiretrovirals for the prevention and treatment of HIV/AIDS, last-generation antibiotics and laboratory materials produced by the United States or covered by United States patents, even though these products were purchased through multilateral cooperation. In various cases, licences were denied by United States Government institutions. The procurement of antiretrovirals for HIV/AIDS patients was affected because their producers were United States companies. The UNICEF country office offered support to facilitate the purchase of antiretroviral drugs to the Global Fund to Fight AIDS, Tuberculosis and Malaria. UNICEF headquarters in Copenhagen established contact with Abbot, Merck, Bristol-Myers Squibb suppliers, but they were not able to offer quotations for their products owing to the United States embargo. Hence, the purchase of antiretroviral drugs was delayed and more distant suppliers had to be contacted, with the resulting increase in prices.

17. In some cases, medicines and equipment, such as for heart transplants for children, which are exclusively manufactured in the United States, are not accessible to the Cuban health system because of the embargo. To minimize the direct impact on the population, Cuban health authorities have turned to other providers, in spite of the disadvantages in the higher prices of medicines and freight costs.

18. These restrictions affect social programmes such as health, educational and sexual and reproductive programmes. Likewise, reports UNICEF, the quality in the medical attention for handicapped children has been limited by the lack of medicines to help control the sphincter in the cases of mielomeningocele, other derivatives, corticoids, third-generation antibiotics, antioxidants and urinary bags for children. WHO/PAHO notes that inputs to fight rodents, mosquitoes and other vectors, which have to be purchased in far-off markets owing to the impossibility of acquiring them in the United States, has increased costs by at least $318,000.

19. UN-Habitat notes that human settlements construction and maintenance, as well as reconstruction after disasters, require a stable supply of imported building materials, equipment and capital, which is seriously affected by the embargo. Restrictions in the access to fuel made the provision of services, such as solid waste collection, inefficient and often environmentally unsustainable.

20. The fact that these equipments and medicines must be obtained in other countries delays their application to the vulnerable groups such as newborns, patients with HIV/AIDS, children with special needs, adolescents and youth, women and elderly population. As reported by UNDP, in the implementation of a project financed by the Global Fund to Fight HIV/AIDS, Tuberculosis and Malaria, there

has been a delay of over six months in the delivery of canned meat to patients living with HIV/AIDS, because the Brazilian provider was acquired by a United States company and refused to honour the contract.

21. With respect to the embargo's impact on access to drinking water, according to figures provided by the National Institute of Hydraulic Resources, UNICEF reports that an estimated 100,000 families do not have access to safe water, mainly in three of the five eastern provinces. About 200 water supply systems in rural areas lack adequate water treatment. According to UN-Habitat, limited access to low-cost chemicals and equipment for water and wastewater treatment tends to reduce the quality of these services with resulting negative impacts on the environment and public health.

22. In 2006, reports WHO/PAHO, the United States non-governmental organizations USA/Cuba and Atlantic Philanthropic have not granted their approval to donate computers and laboratory materials and equipments.

23. Despite the difficulty of quantifying the damage of the embargo on programmes run by the United Nations Educational, Scientific and Cultural Organization (UNESCO), from a qualitative point of view, it continues to have an impact on the availability of educational resources.

24. The printing of required text books and bibliographic material is still far from meeting the needs of all schools nationwide, reports UNICEF. It adds that there is still a significant lack of pencils, notebooks and paper for general educational purposes, as well as other supplies required for laboratories and workshops.

Technology transfer and scientific exchange

25. Trade often leads to a transfer of know-how. Restrictions on commercial relations have limited transfer of technology to Cuban people. Additionally, Cuban enterprises may not use patents originated in the United States or commercialized by United States companies. This prohibition has negative implications for the country's development and on cooperation activities.

26. The United Nations system in Cuba encountered numerous difficulties and constraints in implementing technical cooperation projects, in particular with regard to the procurement of equipment, including software and spare parts, and the development of new technologies that were made or had components made in the United States. As noted by UNDP, projects can be considerably delayed because of the inability of the enterprise conducting a project to purchase equipment with United States-patented technologies. In the area of culture, UNESCO observes that the embargo has a negative impact on the ability to obtain historic preservation materials and cooperation with American institutions that might otherwise collaborate.

27. Several agencies reported that even within United Nations technical cooperation projects, scientific missions and other academic and professional exchanges between Cuba and the United States are further complicated by visa policies. At the same time, the United States Government denied permission to United States scientists and/or technicians to travel to Cuba in exchange missions.

Economic Commission for Latin America and the Caribbean

[Original: English]
[5 July 2006]

Economic background

1. The embargo imposed by the Government of the United States on Cuba has been in place for more than four decades, affecting the economic, political and social life of the Cuban people. This unilateral policy has also influenced third countries' decisions, and in the past 15 years additional steps have been undertaken by the Government of the United States of America to strengthen the embargo, such as the so-called Torricelli Act (1992), the Helms-Burton Act (1996) and other measures in 2005-2006, which are explained below.

2. According to Cuban authorities, accumulated direct and indirect damages to the Cuban economy brought about by the embargo amount to $82,000 million. That is equivalent to 178 per cent of the gross domestic product of Cuba in 2005, using the official exchange rate of 1 Cuban peso to 1 United States dollar.

3. In the period 2005-2006 Cuba confronted challenges that already existed the previous year; volatility in prices and in the foreign exchange market occurred as a consequence of the measures announced in 2004 by the Government of the United States to strengthen the embargo, consisting of additional restrictions to United States citizens wishing to travel to Cuba and on the remittances sent from the United States to Cuban relatives, estimated at more than $900 million in 2005. Around 1.3 million Cuban Americans live in the United States.

4. As a response to those measures, the Cuban Government was forced to increase prices of gasoline and other hydrocarbons and products sold in foreign currencies through the system of foreign exchange recovery stores. As a result, the average price increase in 2005 in the government-controlled markets was 8.4 per cent, adversely affecting the population of Cuba.

5. In response to the pressure of the United States Government on foreign banks conducting operations in United States dollars with Cuba, in November 2004 the Cuban Government banned the circulation of the United States dollar in the national territory, instructed the general use of the convertible peso ($1 for 1 Cuban convertible peso) and imposed a 10 per cent tax for operations to convert United States dollars to Cuban convertible pesos. The result was an increase in international reserves estimated at $916 million owing to considerable cash reserves of Cuban citizens.

6. Other measures taken by the monetary authorities in 2005 to tackle the effects of the strengthening of the embargo were:

(a) The exchange rate of the parallel market was set at 24/25 Cuban pesos to the dollar (a nominal appreciation of 8.3 per cent of the peso) as at 18 March 2005 for the operation of sale and purchase of convertibles pesos in the State-operated currency exchange bureaux;

(b) Effective 9 April 2005, the central bank committee on monetary policy also decreed a nominal appreciation of 8 per cent of the convertible peso against all foreign currencies, including the United States dollar and the euro.

7. As a result, the purchasing power of the United States dollar decreased by 23 per cent in the 12 months ending April 2006, and has remained at that level ever since. The Cuban authorities have announced their intention to gradually continue to appreciate the national currency until the monetary unification is reached.

8. The authorization of the sale of food and medicines, implemented by the United States Government since the end of 2001, continued in 2005.[15] Although this constitutes an unprecedented event in recent decades, it must not be confused with an attempt by the United States Government to lift the embargo.

9. The embargo has obliged Cuba to search for new commercial partners, although in a normal situation Cuba and the United States would be natural economic partners, obtaining mutual benefits from trade. Thus, Cuba has turned to the Bolivarian Republic of Venezuela, China and, very recently, Bolivia, and has worked to strengthen ties with those countries. For example, the Cuban exports of goods and services to the Bolivarian Republic of Venezuela in 2005 reached close to $3,000 million, in exchange for 90,000 barrels of oil per day. Cuban trade with China increased by 67 per cent in 2005, although starting from a relatively low base. Finally, to foster trade among them, Cuba, the Bolivarian Republic of Venezuela and Bolivia signed a trade agreement in April 2006.

Food and Agriculture Organization of the United Nations

[Original: English]
[6 June 2006]

1. The main changes since the last reporting period can be summarized as follows:

(a) Access to food has improved, with food deprivation decreasing from a low level to a very low level. Both the prevalence and the number of people experiencing food deprivation increased during the period from 1990 to 1997, however, in recent years, from 1997 to 2005, that trend was reversed;

(b) The production of cereal crops (mostly paddy rice and maize) fell again in 2005, owing to the effects of hurricanes, a lingering drought and the lack of fertilizers. However, the shortfall did not provoke any food emergency as Cuba is a net-cereal importing country and the national food intake increased as a result of an increase in food imports and an increase in the production of pork meat;

(c) Following the rule introduced by the United States in 2004, which compelled Cuba to pay in advance for its imports from the United States, the trade between the two countries has become more difficult. As a result of the tightening of rules by the United States, the Government raised the prices of most "dollar-priced" products. Both policies may adversely affect food consumption.

2. The main effects of the embargo on agriculture, fisheries and the food industry should continue to be viewed from two different perspectives:

(a) The problems brought about by the impossibility of taking full advantage of the export potential (i.e. coffee, honey, tobacco, live lobster and aquaculture products) to the nearest market, the United States. This has implied major losses,

[15] This exception on the embargo stance was adopted after Hurricane Michelle (November 2001) and it was meant to be for that special occasion only.

since it has been necessary to sell to markets located further away, with the resultant higher marketing and distribution costs. Moreover, trade often leads to a transfer of know-how. Cubans are not benefiting from such transfers;

(b) The increase in costs for inputs needed for agricultural, fisheries and livestock production (fuel, spare parts for agricultural machinery, animal feeds, phyto- and zoo-sanitary products and fertilizers, as well as top technological products such as herbicides, low toxicity insecticides, and other highly effective pesticides or veterinary pharmaceuticals, disease diagnostic kits which in many cases are produced only by United States firms). This directly increases the production costs, resulting in decreased profitability and a lower capacity to satisfy the local demand. In general, if equipment were purchased from the United States, the cost of equipment imports would decrease by at least 20 per cent.

3. The embargo has negative implications for Cuba's balance of trade and foreign exchange earnings, as well as for the country's volume of production. The value of agricultural products imported increased from $808.6 million in 1999 to $927.2 million in 2004. At the same time, exports registered a downward trend declining from $785.5 million in 1999 to $620.5 million in 2004. Over the same period, the negative agricultural trade balance increased from $23.1 million in 1999 to $306.7 million in 2004. The import of food products for human consumption, particularly those destined to meet social programmes, is affected by the embargo, as restrictions limit their quantity and quality, thus having a direct effect on the food security of the vulnerable segments of the population.

4. Effects of the embargo on selected agricultural commodities:

(a) **Cereals**. For the second consecutive year, Cuba's cereal production fell by about 5 per cent in 2005. In the 2005-2006 marketing season, cereal imports are estimated at around 2.1 million tons, consisting of wheat (800,000 tons), maize (500,000 tons) and rice (800,000 tons). Although in the past Cuba sourced much of its grain requirements from the European Union, the easing of sanctions by the United States since 2001 has resulted in larger purchases from the United States where, in the 2004-2005 marketing season, Cuba sourced 80 per cent of its maize imports, 47 per cent of its wheat imports and 23 per cent of its rice. In the case of rice, the early payment condition introduced by the United States in 2004 was associated with a 13 per cent reduction of imports from the United States in 2005. The cut was compensated by a surge of purchases from Viet Nam, resulting in larger overall rice deliveries to Cuba. The shift towards rice from Viet Nam, however, cannot be attributed solely to the United States restriction and is more likely to have responded to economic considerations, especially price and credit conditions;

(b) **Oilseeds**. The oilcrop production in Cuba is not significant and, as a result, the country almost entirely depends on imports to supply its vegetable oil and meal needs. Commodities dominating imports are soybeans, soy oil and soy meal. When the United States embargo came into effect, Brazil and Argentina became the main suppliers of soybeans and derived products. Both Mexico and Canada have, on occasions, shipped (small) volumes to Cuba. Origins of non-soybean oils and meals imported by Cuba include Argentina, Mexico, the European Union, Canada and China. From 2002, following the easing of the United States food export restrictions, imports of soybeans and derived products from that country resumed, largely replacing purchases from other regions.

(c) **Raw sugar**. The 2004 raw sugar production, the main agricultural export and foreign exchange earner, amounted to 2.24 million tons, a slight recovery from the minimum level in the past 70 years, registered in 2003 (2.2 million tons). This result was mainly a consequence of the restructuring of the milling sector and the continuing shortage of agricultural inputs owing to the scarcity of Government funding. Part of the restructuring of the sugar industry, as a consequence of the decline in the sector, has been the conversion of 763,000 hectares of sugar cane production to forestry production. Sugar cane workers, technical and professionals, who were linked to the sugar sector, are currently being reallocated and trained to work in the forestry sector. Nevertheless, in 2004 Cuban exports of raw sugar reached 1.9 million tons;

(d) **Meat products**. The production of total meat decreased by 3 per cent from 2003 to 2004, after it had already dropped by 3.4 per cent in the previous year, owing to lack of animal feeds, minerals, vitamin supplements, genetic materials and incubation equipment. The production of eggs decreased in 2004 compared to 2003, by 2 per cent. United States chicken meat exports to Cuba, benefiting from the granting of a poultry exemption in 2001 to the long run embargo, soared to record levels. United States shipments to Cuba rose from nil in 2000 to nearly 200,000 tons by 2004, pushing Cuba as the United State's seventh largest export market. Despite bird flu concerns in 2005 and 2006, United States exports to Cuba are likely to continue to benefit from soaring demand for chicken. Additional major suppliers to Cuba include Brazil and Canada. Cuba's new food policy has placed priority in pork meat production (mainly in small and medium size farms), to meet the increasing meat protein demand. In 2005, pork meat production increased from 40,000 to 100,000 tons. However, the feed costs for pork production have increased considerably, owing to increased shipment and commercial transaction costs;

(e) **Dairy products**. National milk production of 600,000 tons annually does not cover Cuba's growing domestic demand of dairy products. Almost 88 per cent of dairy imports is milk powder (57,000 tons yearly) coming mostly from New Zealand and the European Union. Imports are destined mainly to the Government's social programmes. With the ease of some restrictions regarding food imports from the United States in 2000-2001, there were occasional shipments of milk powder to Cuba. Following the early payment condition introduced by the United States, shipments from the United States in 2005 are reported to have been lower than in 2004. As a consequence, Cuba is purchasing milk powder from other countries;

(f) **Fish products**. Almost all of Cuba's fish exports consist of high-value products, notably frozen shrimp and lobster, which are in strong demand on the international market. However, access to nearby markets is limited, especially those with high purchasing power, and Cuba is therefore obliged to export to more distant markets with the resultant higher marketing and distribution costs. Export earnings amounted to $65.3 million in 2004, for a total volume of 6,237 tons. On the other hand, fish imports consisting mainly of low-value fish products, amounted to $14.1 million, for a total volume of 12,797 tons.

5. As a response to the European Union policy towards Cuba, the Cuban Government refuses technical cooperation from the European Union or its member countries. Therefore, FAO Technical Cooperation Programme, FAO's corporate programme, and the TeleFood Fund, have become a major source for technical cooperation activities benefiting the agricultural, food, fisheries and forestry sectors.

During 2005, 26 projects were in operation in Cuba, including those related to emergencies caused by natural disasters (mainly hurricanes). FAO will continue to support Cuba's efforts to increase the sustainability of food security, through (a) the intensification and diversification of agriculture; (b) the increase in food safety and quality; and (c) the increase in economic accessibility to food. FAO will also support Cuba's actions oriented to the conservation and rational use of natural resources, such as forests, soils, water and biodiversity. Project operations in Cuba continued to be adversely affected by the economic embargo, owing to increased costs in the purchase of, as well as limited access to and availability of, agricultural inputs. Taken together, they have had a negative impact on the effectiveness of development resources.

International Atomic Energy Agency

[Original: English]
[20 July 2006]

1. The assistance activities of the International Atomic Energy Agency to all of its member States, including Cuba, are governed by article III C of its statute, which reads as follows: "In carrying out its functions, the Agency shall not make assistance to members subject to any political, economic, military, or other conditions incompatible with the provisions of this Statute".

2. In accordance with the above-mentioned article, the Agency works to overcome any difficulties that may arise in the implementation of its Technical Cooperation Programme in Cuba to ensure that the objectives of the Programme are fulfilled.

International Civil Aviation Organization

[Original: English]
[21 June 2006]

1. The mandate of the International Civil Aviation Organization (ICAO) is to promote the safe, secure and orderly development of civil aviation in the world. The Organization is not directly involved in the implementation of resolution 60/12, which is directed at States.

2. Cuba, a Contracting State of ICAO, benefits from assistance through the Technical Co-operation Programme and the regular programme of ICAO, both at headquarters and at the ICAO North American, Central American and Caribbean Office in Mexico. In particular, the Organization has facilitated the participation of Cuba in all relevant regional technical cooperation projects and is assisting the country to improve its international civil aviation infrastructure through national technical cooperation projects.

3. The cooperation of ICAO with Cuba has expanded considerably in the last decade. There have been a number of requests from the Government of Cuba and its Civil Aviation Authority for the assistance of ICAO in the implementation of technical cooperation projects in the areas of flight safety, airport safety, development of aeronautical infrastructure, strengthening of the civil aviation authority, human resources development, training programmes at the managerial and technical levels, and modernization of technology.

4. As a result of the embargo, numerous difficulties and constraints have been encountered in the management and implementation of ICAO's technical cooperation projects in Cuba, in particular with regard to the procurement of equipment, including software equipment, and spare parts that are made or have components made in the United States. It has proven very difficult, in particular, for the Cuban Civil Aviation Authority to obtain the required export licences from United States authorities for a number of equipment purchased. In the field of training, it is almost impossible to have civil aviation training centres in the United States accept to train Cuban officials. Also, difficulties in obtaining entry visas to the United States have prevented Cuban civil aviation officials from participating in international conferences convened by ICAO in the field of aviation taking place on United States territory.

International Labour Organization

[Original: English]
[19 July 2006]

1. As informed in previous years, Cuba is treated in the same way as any other member State of our organization and actively participates in the annual international labour conference and other bodies of the International Labour Organization (ILO).

2. The ILO Office in Mexico continues its technical cooperation programme on employment and decent work issues in Cuba. During the biennium 2006-2007, ILO will provide technical assistance in three substantive areas:

- Improvement of labour productivity, in benefit of the workers;
- Contribution to the consolidation of national social security programmes and policies;
- Effectiveness of prevention systems to reduce work-related accidents and diseases.

3. Within these areas, key activities are productivity training at the workplace in the sugar industry and review of related remuneration strategies; administrative strengthening of social security institutions and contribution and benefit schemes; and training of labour inspectors in safety and health issues, among others. Furthermore, upon request from the Labour Ministry, ILO might provide technical assistance on selected International Labour Standards and the revision of the Labour Code. Finally, cooperation with the trade unions is focusing on International Labour Standards, social security schemes, safety and health at work.

International Telecommunication Union

[Original: English]
[14 June 2006]

1. At the 2006 ordinary session of the International Telecommunication Union (ITU) Council, which met from 19 to 28 April 2006, the matter of the concerns of Cuba with respect to interference with its communications was raised. It is expected that it will be further raised at the forthcoming ITU Plenipotentiary Conference to take place in Antalya, Turkey, from 6 to 24 November 2006.

2. ITU member States may settle disputes on questions relating to the interpretation or application of ITU Constitution, Convention and Administrative Regulations, including radio regulations (all of which address harmful interference), according to the provisions of article 56 of the Constitution. These provisions, however, lack enforcement mechanisms.

3. The object of the ITU Constitution and Convention is to facilitate peaceful relations, international cooperation among peoples and economic and social development by means of efficient telecommunications services. In this respect, it is the wish of ITU member States that disputes related to the basic instruments of the Union be settled bilaterally, in a spirit to avoid harmful interference and to respect sovereignty.

4. In the case of Cuba, ITU wishes to state once more that the main challenge is to propose the implementation of technical solutions without the use of technologies that have export restrictions to Cuba.

United Nations Children's Fund

[Original: English]
[28 July 2006]

1. The cumulative effects of 44 years of economic and financial embargo and recent measures imposed have had a direct impact on the Cuban people. Beginning in 2006, several United States travel agencies were prohibited from selling air tickets to Cuba. This further inhibits family contacts and relationships, adding to the existing restrictions on fund transfers, on visits of close family members to once every three years and a ban on shipment of clothes and hygiene articles to relatives.

2. Cuba faces serious commercial limitations and is forced to import products from more distant countries. This translates into considerably higher costs and negatively impacts United Nations cooperation. For the United Nations Children's Fund (UNICEF), it hampers the ability to purchase necessary provisions and supplies for cooperation projects. The embargo also decreased the ability to import nutritional products destined for both family and social consumption (in schools, hospitals and day-care centres), directly affecting the nutritional level and the health of the population. Similar effects can be seen with unmet needs for basic educational material and required supplies.

3. Other concrete examples of the harmful effects of the embargo on Cuba's populations include:

(a) Health

(i) Children requiring liver transplants lack vital equipment technology only manufactured in the United States of America;

(ii) The purchase of cytostatics for children with cancer was seriously undermined when American transnational companies bought the pharmaceutical laboratories that had contracts with Cuba;

(iii) The purchase of last-generation antibiotics and other medicines upon which newborns with congenital cardiac defects depend to survive must be done in markets outside the United States of America;

(iv) Medical attention for handicapped children is limited by the lack of medicine and material. The prices of these products increase since they must be bought in remote markets;

(b) Food/nutrition: as the embargo restricts importing nutritional products, scarce availability of iron-rich and fortified foods continues to be linked to iron deficiency anaemia in the population, in particular in children under two years of age, and fertile-aged and pregnant women. Indeed, current iron deficiency prevalence in 6 to 12 month-old children has not decreased[16] since 1999/2000;

(c) HIV/AIDS: the purchase of antiretroviral drugs by UNICEF in support of the Global Fund to Fight AIDS, Tuberculosis and Malaria was delayed, as major suppliers could not offer their products due to the United States embargo. Transactions with more distant suppliers resulted in an increase in prices and delays in procurement;

(d) Children with special needs: commercial barriers make it is very difficult to purchase necessary equipment for children with special needs such as those who suffer from blindness and those needing physical rehabilitation;

(e) Education: the printing of necessary text books and educational material is insufficient for the needs of all schools nationwide, and there is still a significant impact on the lack of pencils, notebooks and paper for educational purposes;

(f) Access to drinking water: an estimated 100,000 families[17] do not have access to safe water, while about 200 water supply systems in rural areas lack adequate water treatment. In some parts, it is nearly impossible to purchase spare parts for well drilling machines, of American manufacturing, which leaves the machines paralysed and unused.

United Nations Conference on Trade and Development

[Original: English]
[15 June 2006]

Trends in Cuba's trade

1. The availability of up-to-date trade data for Cuba is limited. A country report by the Economist Intelligence Unit noted that the economic growth in Cuba accelerated in 2005 owing to a strong boost from new sources of foreign exchange such as new trade agreements, investment commitments and credit lines from China and the Bolivarian Republic of Venezuela.[18] It is estimated that Cuba's export and import of goods in 2005 amounted to $2,573 million and $6,766 million, respectively. As regards the balance of payments, however, the preliminary estimates provided in the Cuban National Assembly, held in December 2005, indicated that Cuba had a surplus of around $300 million in the current account in the year owing to strong growth in service exports. Of the total foreign exchange earnings, goods accounted for only 30 per cent in 2005, down from 90 per cent in

[16] According to available information from the Ministry of Public Health.

[17] According to figures provided by the National Institute of Hydraulic Resources from 2002.

[18] The Economist Intelligence Unit, "Country Report: Cuba", *The Economist*, London, United Kingdom, February 2006; the information on Cuba's trade flows for 2005 was quoted from this report.

1990. In 2005, incomes from exports of other services such as professional and health services sharply increased, accounting for almost half of total services exports, while, in the past several years, most of the increase in services earnings was due to the growth of international tourism. This change was largely attributable to the economic cooperation programmes with the Bolivarian Republic of Venezuela.

2. The estimated data for 2004[19] indicated that, in that year, "food and agriculture" and "ores and metals" were the two major export goods of Cuba, accounting for 39 per cent and 37 per cent, respectively, of the country's exports. The European Union was the largest market for Cuban goods, taking 40 per cent of Cuban exports, mostly from the two commodity groups. The Latin America and Caribbean region was the second largest market for Cuban goods, largely accounted for by "manufactured goods", which represented 10 per cent of Cuban exports. For the rest of the world, "food and agriculture" and "ores and metals" were Cuba's largest export items, accounting for 37 per cent of Cuba's exports.

3. As regards imports, "manufactured goods" had the largest share, accounting for over 60 per cent of Cuba's imports, followed by "food and agriculture" with a share of 30 per cent. The European Union was the largest source of Cuba's imports, accounting for 37 per cent of Cuba's imports. The corresponding figure for the Latin America and Caribbean region was 19 per cent. Imports of "food and agriculture" from the United States accounted for 13 per cent, while no transactions took place for other commodity groups. The imports from the United States reflected the impact of the United States legislation enacted in 2000, which eased food and medicine sanctions against Cuba.

Cuba's initiatives in the World Trade Organization relating to the United States embargo

4. Cuba continues to be an active member of the World Trade Organization. Cuba has taken some initiatives that addressed the United States embargo. In its annual submission to the World Trade Organization under the Decision of 20 December 2001, the Government of Cuba reported on the new measures adopted by the United States (see WTO document WT/L/630). The submission noted that those measures were aimed at tightening the embargo restrictions and included the following specific measures: new criminal sanctions aimed at limiting the free transit of persons and goods to and from Cuba; pressures and fines aimed at investors or financial institutions operating, or intending to operate, with Cuba; the new regulations prohibiting United States citizens or permanent United States residents from legally purchasing in a third country products of Cuban origin even for their personal use; the creation of a "Cuban Asset Targeting Group" to investigate and block any new channels for the flow of foreign exchange to and from Cuba; and the introduction of a new interpretation of "payment of cash in advance", which is discussed under the next section, entitled "Developments in the United States".

5. The submission noted that non-United States firms would also be affected by the United States embargo if the firms had United States interests even partially, and that this extraterritoriality of the embargo made it difficult for Cuban firms to find

[19] Figures for 2004 were calculated by the UNCTAD secretariat based on the United Nations Statistics Division (UNSD) estimates for the commodity groups, "food and agriculture", "ores and metals", "fuels", "manufactured goods", and "unallocated".

international partners and suppliers. The Cuban biotechnology industry and research are particularly affected by this aspect. At the sixth session of the World Trade Organization ministerial conference held in Hong Kong (SAR, China), from 13 to 18 December 2005, the Government of Cuba denounced the United States embargo as a violation of the most elementary rules of free trade and of the obstruction of Cuba's commercial relation with other countries (see World Trade Organization document WT/MIN (05)/ST/67).

6. Cuba also made a proposal in the World Trade Organization Negotiating Group on Trade Facilitation to add to article V of the General Agreement on Tariffs and Trade 1994 a text which would prohibit World Trade Organization members from applying discriminatory measures to goods in transit, as well as to vessels or other means of transport of other contracting parties, for non-commercial reasons (see WTO document TN/TF/W/64).

Developments in the United States

7. As regards United States legislation, it is recalled that in February 2005, the United States Government made a modification on the interpretation of a provision relating to "payment of cash in advance" contained in the Trade Sanctions Reform and Export Enhancement Act (TSRA) of 2000, so as to tighten restrictions imposed on legal trade in agricultural goods and medicines with Cuba (see A/60/213).[20] The modified interpretation implied that the goods would be considered as Cuban assets while still located in the United States port, and would therefore be exposed to the possibility of seizure by the United States authority to satisfy outstanding property claims against the Government of Cuba. Agriculture groups in the United States claimed that such a possibility of seizure has resulted in a significant decrease in the sale of United States farm goods to Cuba. In this light, at the demand of anti-embargo lobby in the United States, the United States Congress has introduced a change to this modification, and, consequently, the United States Government changed the interpretation of "payment of cash in advance", to the effect that agricultural goods may be shipped to Cuba once payment is received by a third country bank acting as the seller's agent. However, the proposal to abolish all together the legislation regarding advance payment was not adopted owing to the likelihood of the presidential veto.[21]

8. With regard to the implementation of the recommendations by the World Trade Organization Dispute Settlement Body (DSB) on the United States — Section 211 Omnibus Appropriations Act of 1998, issued in January 2002, the United States reported to this body in May 2006 that it was in the process of introducing appropriate statutory measures that would implement the DSB rulings.[22]

[20] Previously, under the TSRA of 2000 United States exporters were able to ship goods after obtaining a letter of credit from a third-country financial institution, and payment was required only before the goods were actually delivered to a Cuban buyer. In February 2005, however, the Office of Foreign Assets Control modified the interpretation of "payment of cash in advance" and required United States exporters to receive cash payment from Cuban importers before the goods are shipped from United States ports.

[21] The anti-embargo lobby in the United States Congress attempted to ban the Treasury Department from using funds to administer, implement or enforce the rule for the fiscal year 2006.

[22] World Trade Organization document WT/DS176/11/Add.42; the case concerned the trademark "Havana Club" used for rum and Section 211 of the United States Omnibus Appropriations Act of 1998, which was designed to protect trademarks belonging to businesses confiscated by the

Implications

9. In spite of resolution 60/12, the United States embargo against Cuba remains as stringent as ever. According to the Cuban Government's estimate, the cost of the United States embargo in foreign trade in 2005 was close to $1 billion. It caused adverse economic and social impacts on Cuba by denying opportunities for making foreign exchange earnings; by prohibiting investments and development loans from the United States and the international financial institutions such as the World Bank and the Inter-American Development Bank; by incurring additional costs for importing from third countries; by denying access to American technologies; and by deterring potential investments from third countries. Not only the economic sectors, but also the food, education, health, communications, and science and technology sectors, have been seriously affected by these restrictions. Given Cuba's potential for developing the tourism sector, especially for American tourists, the embargo has a considerable implication for the sector as well. Moreover, the degree of incidences caused by the extraterritorial effects is important, given the significant involvement of United States interests in transnational corporations. Although Cuba recorded accelerated economic growth in 2005, largely owing to some bilateral cooperation programmes, and reportedly generated a surplus in the current account, the United States embargo remains as severe as ever, and continues to incur significant economic and social costs to Cuba. In addition, the United States embargo impedes the Cuban Government from fulfilling obligations under international agreements, for example, by not being able to attend international meetings held in the United States.

United Nations Development Programme — Cuba

[Original: English]
[21 July 2006]

1. For more than four decades the Office of the United Nations Development Programme (UNDP) in Cuba has been preparing annual reports on the effects of the embargo imposed by the United States against Cuba. Since 1992 the United States Government has taken additional steps to strengthen the embargo through the so-called Torricelli Act (1992), the Helms-Burton Act (1996) and other measures in 2004-2005 known in Cuba as the Bush Plan. In the last 12 months the situation has not changed; the negative impact of the embargo continues to affect the economic, political and social life of the Cuban people, in particular the most vulnerable groups.

2. The embargo negatively impacts UNDP capacity to implement development cooperation initiatives owing to limitations on trade with United States-based companies and difficulties in obtaining financial resources to support national and local development efforts in Cuba. UNDP has also faced difficulties in establishing effective partnerships with relevant United States-based non-governmental organizations, including in the area of HIV/AIDS, as well as promoting exchanges among experts from both countries.

Cuban Government after the revolution. The dispute started between the two liquor companies, Bacardi and Pernod Recard, concerning the validity of the trademark. For more details, see World Trade Organization document WT/DS176/R.

3. The impossibility of purchasing goods from United States companies creates many difficulties and increases the cost of programme and project implementation. One example of this is the project financed by the Global Fund to Fight AIDS, Tuberculosis and Malaria, for which UNDP is the principal recipient. Following established procurement procedures, the project bid for the acquisition of 98,100 cans of meat for a total of $90,288. A contract was signed with the firm Oro Rojo for that acquisition, which, in turn, would import the product from a Brazilian company. That contract, however, was cancelled after the Brazilian company was bought by a United States company. As a result, the delivery of the canned meat to people living with HIV/AIDS was delayed by six months, and Oro Rojo suffered economic losses for not fulfilling the contract or meeting delivery deadlines.

4. The same project requested offers of medicines for HIV/AIDS patients. The international bid was sent to UNICEF and the International Development Association (agencies that purchase medicines at very low prices), as well as to the pharmaceutical suppliers Alfarma, Roche, Cuseko, ICL and Alcon3L. Through UNICEF, Gilead Laboratory offered the best price for the purchase of the medication ARV Tenofovir. However, the purchase could not be completed owing to United States Government procedures hindering this type of transaction. Because of the urgent need to purchase the medicine, given low reserves at the Pedro Kouri Institute of Tropical Medicine, the medicine was in the end purchased from Alfarma at a cost of $315,900; that is, $299,988 more than the offer from Gilead Laboratory.

5. In another instance, an environment-related project approved at the 2002 Executive Committee Meeting of the Montreal Protocol, which was to be implemented by the Government of Cuba through UNDP, was held up because the United States State Department failed to issue a licence authorizing a commercial agreement between Cuba and the United States company providing the new technology. In February 2005, the Cuban authorities decided to stop negotiations and to begin considering other companies. Although a Canadian provider was eventually hired, project implementation was complicated and significantly delayed.

6. In another instance, in 2002 a project was signed between the Government of Cuba, the Montreal Protocol and UNDP to help Cuba meet its commitments to eliminate the use of ozone depleting chlorofluorocarbons, by changing the technology for producing metered dose inhalers widely used by people with asthma in Cuba. This required the signature of a commercial agreement between the Government of Cuba and the United States company providing the new technology. As the United States State Department never issued a licence to the provider, in February 2005 the Cuban authorities decided to stop negotiations and begin considering other companies. The process was finally concluded in 2005 through the hiring of a Canadian provider but project implementation was unduly complicated and significantly delayed.

7. Finally, the embargo affects the provision of visas for UNDP officials in Havana, who must travel to headquarters in New York for training or other United Nations events. The visas require detailed information and must be requested well in advance, but often, despite compliance with the lead time requested, they are not granted in time. Hence, Cuban UNDP officials have been prevented from participating in capacity-building events and official meetings, thereby hindering efforts by both headquarters and the country office to acquire and share valuable knowledge and experience.

United Nations Educational, Scientific and Cultural Organization

[Original: English]
[21 July 2006]

1. In response to the request for information on how the embargo affects the ability of the United Nations Educational, Scientific and Cultural Organization (UNESCO) to work with and for the Cuban people, UNESCO points out that it is not a funding agency, but rather a specialized technical agency within the United Nations system, and so it does not manage a large number of projects in Cuba on which to gauge the impact.

2. In its fields of competence — education, science, culture and communication and information — it is practically impossible to quantify the damage of this embargo on programmes run by UNESCO. From a qualitative point of view, the following observations can be made. In the area of education, the embargo continues to have an impact on the availability of educational resources and information and communication equipment. In the area of science, the embargo limits the ability to purchase up-to-date scientific materials. Scientific exchanges and other academic and professional exchanges are further complicated by visa policies that make travel and study movement difficult. In the area of culture, the embargo has an impact on the ability to obtain historic preservation materials and cooperation with American institutions that might otherwise collaborate. In the area of communications and information, it is difficult to separate out the impacts of the embargo from the overall factors that affect the free flow of information and the use of information and communication technologies in the country.

United Nations Environment Programme

[Original: English]
[29 May 2006]

The mandate of the United Nations Environment Programme (UNEP) relates to the global environment, and therefore we do not address the issues reflected in resolution 60/12 with individual countries or Governments. The UNEP Regional Office for Latin America and the Caribbean works closely with the Cuban authorities in areas related to the environment, i.e. early warning and assessment, technology transfer, industry and economics, environmental law and cleaner production. UNEP not only builds capacity in these areas, but also supports the strengthening of the environmental institutional framework through the development of policy guidelines, which are accessible to Cuba.

United Nations Human Settlements Programme

[Original: English]
[17 July 2006]

1. The challenges faced by the country to attend to the current demand in the area of human settlements, including housing, infrastructure and services, have been exacerbated by the economic, commercial and financial embargo imposed on Cuba and by measures that limit capital flows into the country. Human settlements construction and maintenance, as well as reconstruction after natural disasters, require a stable supply of imported building materials, equipment and capital, which is seriously affected by the embargo.

2. Restrictions in access to fuel have made the provision of services such as solid waste collection and disposal, sanitation and water supply inefficient and often environmentally unsustainable. Limited access to low-cost chemicals and equipment for water and wastewater treatment tends to reduce the quality of these services, with resulting negative impacts on the environment and public health.

3. UN-Habitat's current cooperation with Cuba focuses on strengthening local capacities for improved urban planning and management, and on the development of plans for tackling the housing deficit through the provision of new housing and settlements improvement. Activities are also implemented on the follow up to the national campaign on adequate housing and its environment. UN-Habitat's collaboration programmes aim at the improved mobilization, planning and use of local resources to address urban environmental issues and housing needs, thus assisting in alleviating the negative effects of the embargo on the urban population.

Office of the United Nations High Commissioner for Refugees

[Original: English]
[19 June 2006]

1. Cuba is not a signatory to the 1951 Convention relating to the Status of Refugees or its 1967 Protocol. As such, UNHCR receives and decides asylum claims under its mandate and contributes to providing assistance to the refugee population. Thus far, Cuba has maintained its de facto policy of non-refoulement protection and assistance in the education and health sectors to refugees recognized under the UNHCR mandate, but does not offer local integration possibilities for these. Therefore, and in the absence of prospects for voluntary return in most of the cases, the only durable solution for refugees in Cuba is resettlement sought by UNHCR in third countries.

2. It is anticipated that Cuba's readiness to become a party to the international refugee instruments and to engage in finding solutions to the refugee situation within the country are dependent on a change in its bilateral relations with the United States of America. In this sense, any measure contributing to ending the economic, commercial and financial embargo imposed on Cuba is seen as a positive step that may lead towards Cuba's accession.

United Nations Industrial Development Organization

[Original: English]
[9 June 2006]

1. The United Nations Industrial Development Organization (UNIDO) has been assisting the Government of Cuba with an integrated programme to contribute to the sustainable development of priority industrial sectors supporting the competitiveness of the tourism industry in Cuba since 1999. The areas addressed by the present phase of the programme (phase II) include: national entrepreneurial enhancement, energy efficiency and alternative sources of energy, cleaner and sustainable managed environment, and agro-industries.

2. In 2006, funds and resources were mobilized from the Governments of Austria and Switzerland and from the Global Environment Facilities to cover activities in the first three areas of phase II of the programme.

3. The services offered by UNIDO further contribute to the improvement of Cuba's foreign exchange balance and competitiveness in local and external markets.

4. UNIDO believes that the catalytic impact of the programme is important for the socio-economic development of Cuba. However, further implementation of the subject resolution could affect the efficiency of the technical services of UNIDO.

United Nations Population Fund

[Original: English]
[23 May 2006]

1. Cuba continues to face critical economic difficulties, which have prevailed since the early 1990s, following the disruption of trade relations with its former partners of Eastern Europe. The United States economic embargo, imposed on Cuba for over 40 years, has worsened the situation and hampers the social and cultural development and quality of life of the Cuban population. The effect of the financial burden and commercial barriers in the health-care system in particular has led to shortages or intermittent availability of drugs, medicines, equipment and spare parts. It also hinders the renovation of hospitals and other health-care delivery infrastructures. Despite the above, considerable achievements have been made in some health indicators comparable to developed countries, as it has been a priority of the Government to provide universal and free health-care services and to subsidize costs from national budgets.

2. The import restrictions imposed by the United States embargo have had a direct impact on the reproductive health situation of the Cuban population. Even when there is wide knowledge of the most modern and quality contraceptive methods in use today, and they are in great demand, the country is denied access to its closest markets, having to source them in suppliers that are far away, with a consequent increase in costs, mainly for transportation. The same applies to medications for the treatment of sexually transmitted infections, to equipment for emergency obstetric care and to other commodities related to sexual and reproductive health. Commercial restrictions also limit Cuba's capacity to access state of the art technologies, new drugs and reproductive health products.

3. Despite the scarcity of funds, Cuba has managed to contain the spread of the HIV/AIDS epidemic for almost 20 years since its irruption in the country. The prevalence rate is very low, if compared with other epidemics in the Caribbean region, the second most-affected region in the world (0.07 per cent among adults aged 15-49 in 2005). Cuba is achieving universal treatment access as a Government strategy. However, the incidence of new cases continues to increase, mainly among males aged 25-34. The availability of condoms for prevention is a major concern. In 2005, for evidence, the availability of condoms was still insufficient, if compared to the estimated 60 million required to meet yearly demands. The effect of the embargo was seen in the course of the epidemic, when access by AIDS patients to appropriate nutrition was denied by cancelling sales of canned foods. The grant of $26.1 million approved by the Global Fund to Fight AIDS, Tuberculosis and Malaria for the period 2003-2008 may partly palliate the situation.

4. With regard to adolescents and youth sexual and reproductive health, there is an important demand of information and educational materials related to STI/HIV/AIDS. Prevention of unwanted pregnancies and the high abortion rate,

existing particularly among women under the age of 20, still remain a matter of concern in the country, which requires massive information campaigns, counselling services, training of service providers and the availability of appropriate contraceptive methods to women in order to diminish its incidence.

5. The economic embargo has also affected the delivery of services to Cuba's growing elderly population. Owing in part to the financial restrictions and consequent shortages of adequate equipment, the Government is unable to fully meet the needs of this important population group, particularly in terms of housing, maintenance, medical supplies and equipment for nursing homes and day-care centres. More support is expected to be required in the near future, as the country's demographic transition process continues to advance towards an ageing population.

6. The current programme of assistance of the United Nations Population Fund (UNFPA) to Cuba, approved in 2003, aims to maintain the country's current reproductive health standards and to improve the quantity, quality and variety of available contraceptives, mainly through the procurement of condoms, intra-uterine devices and injectables, and to establish and strengthen sexual education in the formal school system, which has been very successful in promoting gender equity and sexual and reproductive rights with impact on the country's sexual education policy. Although UNFPA has channelled several bilateral grants to cover contraceptive shortfalls in the last years, the assistance in this regard is still insufficient to compensate the existing limitations. The provision of contraceptives agreed under the programme, mainly aimed at women at high reproductive risk, is seen with appreciation by the Government, as UNFPA is one of the very few sources of quality contraceptives in the country.

Universal Postal Union

[Original: English]
[3 July 2006]

The Universal Postal Union is not directly involved in the implementation of resolution 60/12, which directly affects member States only.

World Food Programme

[Original: English]
[8 June 2006]

The United States embargo continues to severely limit trade and has a direct impact on the capacity and efficiency of Cuba's logistics infrastructure (port, transport, warehousing, commodity tracking), food processing, water distribution and agricultural production. The efficiency of the Cuban Government's food-based social safety nets, which are instrumental to household food security, is thereby negatively affected. Combined with harsh climatic conditions in 2005 (hurricanes and rain shortages), these factors have an impact on people's well being. Micronutrient deficiencies are a concern. Anaemia prevalence is high, especially among children under two years of age, jeopardizing their development potential. The impact is stronger in the eastern provinces, where food insecurity is higher. Some of the foods that the World Food Programme (WFP) distributes are produced locally. This year their production was delayed and interrupted owing to delays in the arrival of raw materials, production equipment and spare parts.

World Health Organization/Pan American Health Organization

[Original: Spanish]
[25 July 2006]

1. As the specialized health agency of the United Nations system, the Pan American Health Organization/World Health Organization presents the following summary of the negative impact of the United States embargo on the health of the Cuban people, on the Cuban national health system and on the Organization's technical cooperation activities in Cuba.

2. Cuba is a key country thanks to its development in the field of health, its research capacity and its willingness to adopt results and innovations and share its achievements with other countries.

3. From 2004 to 2005, the economic impact on the health sector was equivalent to approximately 45 million convertible Cuban pesos.[23]

4. The embargo affects the health sector in the following ways, among others: access to inputs, equipment, technology and scientific information is limited; Cuban scientists and health authorities find it difficult or impossible to obtain visas; United States scientists are refused permission to travel to Cuba; scientific articles originating in Cuba cannot be published or disseminated in the United States; and limitations are placed on the participation of mechanisms commonly used to gain access to technologies, inputs and equipment.

5. The embargo affects medical care for 2,032 patients with kidney disease, including 30 children, as it limits access to dialysis technology and therapeutic agents, including immunodepressants for the treatment of transplant rejection. The United States firm Baxter has not followed through with development of continuous ambulatory peritoneal dialysis as a treatment option for children from remote areas who suffer from terminal chronic renal deficiency. These children are thus obliged to continue with intermittent peritoneal dialysis, to the detriment of their quality of life. The United States non-governmental organization Atlantic Philanthropies offered to donate a molecular biology laboratory to determine immunological compatibility and thus ensure optimum survival rates for patients with kidney transplants, but the donation was not authorized by the United States Treasury Department.

6. Patients requiring cardiovascular surgery (including 40 under age one) were affected because of the unavailability of equipment that might otherwise have been purchased in the United States, such as oxygenators, extracorporeal circulation machines, hypothermia blankets, and hyper-hypothermia units. In addition, it is not possible to purchase accessories that are only made in the United States, such as valved conduits for aortic root restoration and Goretex ringed tubes.

7. Between 2005 and 2006, it was not possible to obtain price quotations for paediatric supplies from the United States firm Arrow; Fisher incubators and Sigma mineral oil for diagnosis of West Nile virus; UW Dupont Pharma organ preservation solution; Datex-Ohmeda hemodynamic monitors; Bair Hugger warming systems; and Puritan Bennet lung ventilators. Likewise, the firm Amersham Pharmacia

[23] It is estimated that from 1960 to the present, the amount is 2,238,300,000 convertible Cuban pesos.

Biotech was acquired by a United States firm, and therefore Cuba is no longer able to purchase their kits or use the sequencing equipment that had already been acquired.

8. Purchasing this equipment in other countries instead of the United States added an extra US$ 318,000 for transport costs and delivery time for vector-control inputs.

9. Some of the mechanisms that PAHO/WHO has developed for the Americas region are the Expanded Program for Immunization, the Revolving Fund for Strategic Public Health Supplies (Strategic Fund) and the Expanded Textbook and Instructional Materials Program (PALTEX). Under the embargo, no inputs designated for Cuba may originate in the United States; this often increases transport and insurance costs, makes it necessary to break down orders into separate shipments and hinders cooperation.

10. In the case of the immunization programme, for example, Cuba uses 11 vaccines; 8 are produced in Cuba, and 3 abroad. However, PAHO/WHO is not allowed to purchase inputs for Cuba in the United States or from companies that operate with United States capital.

11. With regard to treatment for persons living with HIV/AIDS, the embargo limits opportunities for purchasing antiretroviral drugs through mechanisms such as the PAHO/WHO Strategic Fund. The antiretroviral drug Tenofovir, which is manufactured in Canada and Germany, is produced by the United States company Gilead Laboratory.

12. The embargo affects the ability of Cuban students and specialists to purchase textbooks and other books that might otherwise be made available by PAHO/WHO through the PALTEX programme, which is operated by a private foundation that is incorporated in the United States and therefore cannot operate in Cuba. Moreover, the cost of publications produced by specialized magazines of institutions based in the United States is increased by the fact that PAHO/WHO has to purchase them from firms accredited in Cuba or other countries.

13. In 2005, the United States Department of Commerce denied the United States NGO USA/CubaInfoMed a licence for the donation of 126 computers to hospitals in the national health system and to teaching departments of the Latin American School of Medicine. As pointed out in the recommendations of the World Summit for the Information Society, the computers would have improved access to and dissemination of information and knowledge.

14. Cuba has developed considerable capacity in the field of health research and has expressed interest in engaging in an organized dialogue on cancer with the United States scientific community. If exchanges between the two scientific and technical communities were facilitated, the world population would soon be able to reap the benefits of those efforts to address the new challenges for individual and collective health.

World Meteorological Organization

[Original: English]
[21 July 2006]

1. There is a long-standing continuous collaboration between Cuba and the World Meteorological Organization (WMO). WMO supported projects such as the regional project on the theme "Preparedness to climate variability and global change in small island developing States, Caribbean region", which was completed in 2004. Automatic weather stations and some conventional meteorological equipment were installed in Cuba and its workstations for meteorological telecommunication were upgraded. In addition, other equipment and instruments, as well as expert services, were provided by China, Japan and France through the WMO Voluntary Cooperation Programme.

2. Considering the capacity created by the SIDS-Caribbean Project, the results achieved and the interest expressed by the participating countries through the Association of Caribbean States, the Government of Finland approved $445,000 for the development of a pilot project on the theme "Automated weather service production system for the Caribbean area", using the capacity that is now available in the region. The pilot project will be implemented in 2005 and 2006 in Cuba, Jamaica and Trinidad and Tobago as countries with good capacity, in particular human resources. The Finnish Meteorological Institute and the Caribbean Meteorological Organization are to collaborate with WMO in the implementation of the project. The pilot project is expected to contribute to the sustainability, visibility and development of the meteorological services and allow the establishment of partnerships offering better products and services to potential users.